

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40374 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

GAURAV KUMAR S/o- Dewbhushan Ram Resident of Village- Sihma Ward
No. 6, P.S.- Khodawandpur (Chaurahi), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in Begusarai Excise Complaint No. 43C2 of 2020 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 1107 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 1107 liters wine is recovered from pick up Van. The petitioner is said to be



owner of the said pick up Van. The said pick up Van is run as a public carrier. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Begusarai Excise Complaint No. 43C2 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

