

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31008 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- MANSI District- Khagaria

PRITHIVI YADAV S/o Late Narayan Yadav Resident of Village- Ekania,
P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-01-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered under Section-30(a) of the Bihar Prohibition and

Excise Act.

The prosecution case, in short, is that 15 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 name of the petitioner has transpired in this case

as the house in question belongs to the joint family of the



petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 15 liters wine is recovered from joint house of the petitioner. 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, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Khagaria in connection with Mansi P.S. Case No. 168 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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