

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41863 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Rajesh Yadav S/O Durga Yadav R/O Village-Shankar Saraiya Ahirtoli, P.S-
Turkaulia, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioner and learned APP
for the State.

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

Further, Counsel for the petitioner is permitted to make
necessary correction in paragraph 1 of the present application in
course of the day.

The petitioner is apprehending his arrest in connection
with Excise case No.128 of 2021 registered under Sections 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 158 liters wine is
recovered.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in this case. It is alleged that 158 liters wine is recovered from the hut situated adjacent to the joint house of the petitioner. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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, East Champaran at Motihari in connection with Excise case No.128 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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