

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43843 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

NANDU RAY @ NANDU KUMAR RAY, Male, age-33 years, S/o Raghunath Ray, Resident of Village - Patiyasa, P.S. - Ahiyapur, Dist. - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Nitu Kumari, Advocate.

For the Opposite Party : Mr.Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Ahiyapur P.S. Case No. 60/2021 for the offence registered under Sections 272, 273, 420, 467, 468, 471/34 of the I.P.C. and 30(a), 36 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1782.16 liters wine is recovered from the Truck, two cars, and Motorcycle.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 1782.16 liters wine is recovered from the Truck, two cars and Motorcycle. The petitioner is not the owner of any vehicles in question. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let 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 the learned Special Judge, Excise, Muzaffarpur, in connection



with Ahiyapur P.S. Case No. 60/2021, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

U.K./-

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

