

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33742 of 2020

Arising Out of PS. Case No.-520 Year-2020 Thana- FORBESGANJ District- Araria

MD. NOOR ALAM @ NOOR HASAN, aged about 30 years, Gender-Male,
Son of Baichan @ Bidi Wala, Resident of Village-Dallu Tola, Ward No.18,
P.S.- Forbesganj, Distt.- Araria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

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

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 54 liters
wine is said to have been recovered from the bush situated at the
back of the house of the petitioner.



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 54 liters wine is recovered from the bush situated at the back of the house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present 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.

Considering the aforesaid 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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions-cum-Special Judge, Araria, in connection with Forbesganj P.S. Case No. 520/2020, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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