

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44166 of 2021

Arising Out of PS. Case No.-49 Year-2019 Thana- JADOPUR District- Gopalganj

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BABLU YADAV @ BABLU KUMAR (Male), aged about 25 years, son of Late Birendra Prasad Yadav @ Late Birendra Yadav @ Late Virendra Yadav, Resident of Village - Rampur Tengrahi Tola Dharampur, Police Station - Jadopur (yadavpur), District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate.
For the Opposite Party : Mr. Kumar Ranjit Ranjan

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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 Yadavpur (Jadopur) P.S. Case No. 49 of 2019 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 12.600 liters wine is recovered from the Motorcycle in question.

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 12.600 liters wine is recovered from the Motorcycle. The petitioner is the owner of the Motorcycle in question. The said Motorcycle was given by the petitioner to his co-villager for his personal use. 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 nature of goods kept in the said Motorcycle. 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 IInd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj, in connection with Yadavpur (Jadopur) P.S.



Case No. 49 of 2019, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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