

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33099 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- MADHUBAN District- East Champaran

PURUSHOTTAM RAY, aged about 22 years (Male), Son of Nawal Kishor Ray, Resident of Village- Bajitpur Maniya Par, Police Station- Madhuban, District- East Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 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 Sections 272, 273 of the I.P.C. and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1155.210 liters wine is said to have been recovered from the Pick-up Van 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 1155.210 liters wine is recovered from the Pick-up Van in question. The Pick-up Van in question does not belong to the petitioner. The name of the petitioner has come in the present case on the basis of disclosure made by 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.

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 7th Additional District and Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari, in connection with



Madhuban P.S. Case No. 203 of 2020, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

U.K./-

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

