

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35450 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- MAIRWAN District- Siwan

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YOGINDRA PASI @ JOGINDRA PASI @ YOGENDRA PASI, aged about 47 years (wrongly stated in F.I.R. age 30 years), Gender-Male, Son of Vishwanath Pasi @ Vishwanath Chaudhary, Resident of Village - Bishunpura Bazar, P.S.- Mairwan, Distt.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate.
For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2021 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 A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 16 liters wine is said to have been recovered from back side of the road.

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 16 liters wine is recovered from back side of the road. 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, 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) only with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Excise, Siwan, in connection with Mairwa P.S. Case No. 79 of 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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