

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33131 of 2020**

Arising Out of PS. Case No.-152 Year-2020 Thana- MINAPUR District- Muzaffarpur

PANKAJ RAI @ PANKAJ KUMAR Son of Late Ram Shreshtha Rai  
Resident of Village - Dubaha, P.S. - Minapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

2      23-02-2021      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner is directed to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks.

The petitioner is apprehending his arrest in a case  
registered under Sections 272, 273, 120(B)/34 of the Indian  
Penal Code and Section-30(a) of the Bihar Prohibition and  
Excise Act.

The prosecution case, in short, is that 349.02 liters  
wine is recovered.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent. There is no  
allegation of tampering of witnesses alleged against the  
petitioner. 349.02 litres wine is said to have been recovered



from the husk house of the co-accused Raju Rai. The name of the petitioner has transpired in the present case only for the reason that he happens to be brother of co-accused Raju Rai. 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, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Minapur P.S. Case No. 152 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

