

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45407 of 2021**

Arising Out of PS. Case No.-567 Year-2020 Thana- NARPATGANJ District- Araria

SUNNY KUMAR YADAV Son of Pramod Yadav Resident of Village -  
Darpur, P.S. - Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

2      22-11-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

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

The petitioner is apprehending his arrest in connection  
with Narpatganj P.S. case No.567 of 2020 registered under  
Sections 30(a)/41 and 47 of the Bihar Prohibition and Excise  
Act, 2016.

The prosecution case, in short, is that 250.200 liters  
wine is recovered.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent and there is no  
allegation of tampering of witnesses alleged against the  
petitioner. The petitioner has falsely been implicated in this



case. It is alleged that 250.200 liters wine is recovered from the ambulance. The petitioner is the owner of the said ambulance. The petitioner had no knowledge regarding the nature of goods kept in the ambulance. Said ambulance is run on rent basis. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the 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 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 learned 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Araria in connection with Narpatganj P.S. case No.567/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

**(Sudhir Singh, J)**

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