

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32717 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

BHOLA RAI Son of Late Sitaram Rai Resident of Village - Dhanhara, Ward
no. - 1, P.S. - Runnisaidpur, Dist. - Sitamarhi.

... .. 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. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2021 Learned counsel for the petitioner is directed to

remove the defect(s), as pointed out by the office, within a

period of four weeks.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is apprehending his arrest in a case

registered under Section-30(A) of the Bihar Prohibition and

Excise Act, 2016.

The prosecution case, in short, is that 446.94 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. It is alleged that 446.94 liters wine is recovered from



the joint house of one Amit Jha. 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 eight 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 Additional District & Sessions Judge-II-cum-Special Judge, Excise Act, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 159 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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