

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33815 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- MAKER District- Saran

SARBJEET KUMAR RAY @ SARBJEET RAY S/o Nagina Rai R/o village-
Fulwariya, P.S.- Maker, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2021 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 Sections 188, 272, 273 of I.P.C. and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 35 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. The name of the petitioner has come on the basis of disclosure made by the local Choukidar. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 35 liters wine is recovered from the motorcycle. The motorcycle in question does not belong to the petitioner. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Maker P.S. case No.72 of 2019, 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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