

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34248 of 2020

Arising Out of PS. Case No.-198 Year-2019 Thana- UJIYARPUR District- Samastipur

SINTU KUMAR Son of Guljari Lal Mahto Resident of Village- Belari Ward
No.-2, Police Station- Ujiarpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2021 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 Section-30(a) of the Bihar Prohibition and Excise
Act, 2018.

The prosecution case, in short, is that 463.995 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. 463.995 litres
of wine is said to have been recovered from the house of co-accused.
Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this 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 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 Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Ujiyarpur P.S. Case No. 198 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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