

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46779 of 2021

Arising Out of PS. Case No.-134 Year-2020 Thana- JURAWANPUR District- Vaishali

SITAB MAHTO Son of Ram Das Mahto Resident of Village - Raghapur,
Pashchim, P.S.- Jurawanpur, Dist.- Vaishali.

... .. 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.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 200 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 transpired on the basis



of disclosure made by the local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 200 liters wine is recovered from a bush situated near a river. 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./complaint case.

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 twelve 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 Act, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 134/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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