

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34136 of 2020

Arising Out of PS. Case No.-189 Year-2018 Thana- GOGRI District- Khagaria

Viro Yadav Son of Kokas Yadav Resident of Village-Araria, P.S.-Parbatta
(Maraiya), District-Khagria.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-03-2021 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)/41(i) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 906.840 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 in this case
on the basis of suspicion. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 906.840 liters wine is recovered from the vehicle, in question. The pick up, 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 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, Excise Act, Khagaria in connection with Gogari PIS. Case No. 189 of 2018, G.R. No. 1474 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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