

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33841 of 2020

Arising Out of PS. Case No.-449 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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ANMOLE KUMAR @ ANMOL KUMAR S/o Biranchi Yadav Resident of
Ward No. 7, Gamhariya, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-03-2021 Learned counsel for the petitioner is directed to remove the
defects, 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 294 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 as the recovery is made from the tempo
of the petitioner. Except for this, there is no other substantive



evidence to suggest the implication of the petitioner in this case. It is alleged that 294 liters wine is recovered from the tempo in question. 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 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 Additional Sessions Judge-2nd -cum- Special Judge, Madhepura in connection with Excise Case No. 80/2021, corresponding to Excise Act Case No. 449/2020, F.N.- 1768/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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