

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34271 of 2020

Arising Out of PS. Case No.-330 Year-2020 Thana- GARDANIBAG District- Patna

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RAMESH RAI, aged about 45 years, Gender-Male, S/O LATE CHANARIKA RAI, Resident of Tahir Lane, Gardanibagh, Phulwari, P.S,- Gardanibagh, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Jagjit Roshan, Advocate.

For the Opposite Party : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2021 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 counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 414 of the I.P.C., 30(a) and 36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 182.750 liters wine is said to have been recovered from the Motorcycles and the car in question.

It has been submitted by learned counsel for the



petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 182.750 liters wine is recovered from the Motorcycles and car in question. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused Ranjit Rai. 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 of the case, the petitioner above named, in the event of arrest or 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/- (Rupees Ten Thousand) Only with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Gardanibagh P.S. Case No. 330 of 2020/Special Case No. 4200



of 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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