

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47903 of 2021

Arising Out of PS. Case No.-411 Year-2016 Thana- SONEPUR District- Saran

RAINA KUMAR @ RAINA KUMAR YADAV S/o GIRIJA RAI R/O
VILLAGE-SABALPUR PASCHIM TOLA, P.S-SONEPUR, DISTRICT-
SARAN AT CHAPRA (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in Sonepur P.S. Case No. 411 of 2016 registered for the offence under Sections-272, 273, 34 of the Indian Penal Code and Sections-30(1), 33, 33(a), 36, 41, 47 & 52 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 25 pieces of plastic drum, 16 bags of coal, 2 bags of Gur and 20 kg. Nausadar are 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 petitioner



has been falsely implicated in the present case. It is alleged that 25 pieces of plastic drum, 16 bags of coal, 2 bags of Gur and 20 kg. Nausadar are recovered from the Bhatti belonging to joint family of 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 of the case, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Saran at Chapra in connection with Sonapur P.S. Case No. 411 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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