

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51345 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- BARUN District- Aurangabad

RITESH KUMAR Son of Naresh Saw Resident of Village Bahuara, P.S. -
Narari, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

Supplementary affidavit has been filed on behalf of the petitioner. Same be kept on the record.

In the light of the statement made in the supplementary affidavit, Counsel for the petitioner is permitted to make necessary correction in paragraph 3 of the main application in course of the day.

The petitioner is apprehending his arrest in connection with Barun P.S. case No.39/2021 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.



The prosecution case, in short, is that 845 liters wine is recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. It is alleged that 845 liters wine is recovered from the pick up van and tempo. The petitioner is alleged to be the owner of the pick up van in question. Said pick up van is run as public carrier. The petitioner had no knowledge regarding the nature of goods booked by the transporter. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the 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 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 District & Sessions Judge II-cum-Special Judge, Excise, Aurangabad in connection with Barun P.S. case No.39/2021,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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