

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48682 of 2021

Arising Out of PS. Case No.-254 Year-2021 Thana- PURNEA SADAR District- Purnia

PINTU KUMAR @ PINTU YADAV S/O NARENDRA PRASAD @
NARENDRA PRASAD YADAV R/o village- Belouri Near FCI Goddam,
P.S.- Muffasil, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of eight
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 58 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 he happens to be owner of the Rice



Mill. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 58 liters wine is recovered from tempo parked in Rice Mill. The petitioner had no knowledge regarding the nature of goods kept on the tempo. 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 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 twelve 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 Special Judge, Excise, Purnea in connection with Sadar (Muffasil) P.S. Case No. 254/2021 giving rise to Special Excise Case No. 386 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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