

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37000 of 2020**

Arising Out of PS. Case No.-363 Year-2019 Thana- JOGBANI District- Araria

=====

ASHOK KUMAR Son of Gajendra Prasad Thakur @ Gajendra Thakur  
Resident of Village- Bhatiyahi, P.S.- Bathnaha, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Anil Prasad Singh  
For the Opposite Party/s : Mr.A.G.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      15-04-2021                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual mode.

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

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 3 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that  
the petitioner has got no criminal antecedent and there is no  
allegation of tampering of witnesses alleged against the  
petitioner. The petitioner has falsely been implicated in this



case. The petitioner is not named in the F.I.R. It is alleged that 3 liters wine is recovered from the car 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 not named in the complaint case/F.I.R.

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 eight 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Araria in connection with Special case No.1735 of 2019 arising out of Jogbani (Bathnaha) P.S. Case No.363 of 2019, 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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