

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36146 of 2020

Arising Out of PS. Case No.-437 Year-2020 Thana- KANKARBAG District- Patna

SUNIL KUMAR S/o Munna Rai R/o Sanjay Nagar Road No. 1, Navratanpur,
P.O. and P.S.-Kankarbagh, Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parth Gaurav, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-03-2021 Counsel for the petitioner is permitted to make necessary
correction in paragraph 1 of the application.

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 414 of I.P.C. and Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2 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 is not named in the F.I.R. It is alleged that 2 liters wine is recovered from the motorcycle 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 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 six 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 C.J.M., Patna in connection with Kankarbagh P.S. case No.437 of 2020, 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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