

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50736 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- MADHUBAN District- East Champaran

SURENDRA PRASAD CHAURASIA @ SURENDRA PRASAD, aged about
45 years (M), Son of Late Rajdeo Prasad Chaurasia, Resident of Village -
Bhagwanpur, P.S.- Madhuban, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the Opposite Party : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Madhuban P.S. Case No. 113 of 2021 for the offence
registered under Sections 272, 273 of the I.P.C. and 30(a), 32
and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 57 liters
wine is recovered from the joint house of the petitioner.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 57 liters wine is recovered from the joint house of the petitioner where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. The petitioner had no knowledge regarding the alleged incident. 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 of the case, let 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 the learned Special Judge, Excise, Motihari, East Champaran, in connection with Madhuban P. S. Case No. 113 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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