

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50533 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- JOGAPATTI District- West Champaran

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Shashikant Yadav, aged about 38 years, Male, S/O Lalan Yadav, R/O Village-
Nawalpur, P.S.- Nawalpur, District-West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

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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 Yogapatti (Nawalpur) P.S. Case No. 108/2021 for the
offence registered under Sections 30(a) and 47 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 34.560
liters wine is recovered from the Motorcycle in question.

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 34.560 liters wine is recovered from the Motorcycle in question. The petitioner is not the owner of the Motorcycle in question. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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, Bettiah, West Champaran, in connection with Yogapatti (Nawalpur) P.S. Case No. 108/2021,



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

(Sudhir Singh, J)

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