

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38732 of 2020

Arising Out of PS. Case No.-345 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

AMIT PAL S/o Anil Pal R/O-219, SHITALATALA ROAD, P.S.-
SERAMPUR, DISTRICT-HOOGLY (WEST BENGAL)

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Himanshu Ranjan
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, 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 the Indian Penal Code and
30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2891.52 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 being
owner of the truck in question. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 2891.52 liters wine is recovered from the truck in question. The petitioner is alleged to be owner of the truck. The petitioner had no knowledge regarding the nature of goods booked by the transporter. 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 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 Additional Sessions Judge -II-Excise Court, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 345/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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