IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56416 of 2021

Arising Out of PS. Case No.-691 Year-2021 Thana- GOVERNMENT OFFICIAL COMP. District- Aurangabad

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SHIV KUMAR RAM @ SHIV KUMAR S/o SAKHICHAND RAM R/o VILLAGE-URDINA, P.S-BARUN, DISTRICT-AURANGABAD.

... ... Petitioner/s

Versus

THE STATE OF BIHAR

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and the State through virtual mode.

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

The petitioner is apprehending his arrest in a case registered for the offence under Section-30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 30 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 petitioner has been falsely implicated in the present case. It is alleged that 30 liters wine is recovered from the toilet belonging to joint family of the petitioner. 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 named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Aurangabad in connection with Aurangabad Excise Case No. 691 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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