

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52245 of 2021

Arising Out of PS. Case No.-186 Year-2020 Thana- GOGRI District- Khagaria

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RAJEEV @ KUMUD YADAV, Male, aged about 35 years, Son of Rambilash
Yadav, Resident of Village- Usari, P.S. - Gogri, District - Khagaria.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Indrajit Kumar, Advocate
For the Opposite Party : Mr. Md. Anbzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-11-2021 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 through Virtual mode.

The petitioner is apprehending his arrest in connection
with Gogri P.S. Case No. 186 of 2020 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The prosecution story, in brief, is that total 145.180
liters wine is recovered from one Pick-up Van, two Motorcycles
and *Wasa* of one Raja Kumar Yadav.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 145.180 liters wine is recovered from one Pick-up Van, two Motorcycles and from *Wasa* of one Raja Kumar Yadav. The vehicles in question do not belong to the petitioner. The name of the petitioner has transpired in the present case merely on the basis of suspicion. 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), Khagaria, in connection with



Gogri P.S. Case No. 186/2020, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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