

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52477 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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SHASHI DAS @ SHASHI KUMAR, Male, aged about 30 years, Son of
Shibji Das, Resident of Village- Kodariya, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Saroj Kumar, Advocate
For the Opposite Party : Mrs.Pushpa Sinha. I, 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 Excise Case No. 222/2020, P.R. No. 10/2020 for the
offence registered under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution story, in brief, is that total 35.775
liters wine is recovered from the hut belonging to joint family of



the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He 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 35.775 liters wine is recovered from the hut belonging to joint family of the petitioner. 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) Act, Muzaffarpur, in connection with Excise Case No. 222/2020, P.R. No. 10/2020, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

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