

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52474 of 2021**

Arising Out of PS. Case No.-160 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Samastipur

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Laltun Kumar, (M), aged about 28 years, Son of Late Ram Narayan Mahto,  
R/O Village- Purnahi, Ward No. 01, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mrs. Aprajita, Advocate  
For the Opposite Party : Mr. Arun Kumar, 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 mde.

The petitioner is apprehending his arrest in connection  
with Excise Case No. 160/2021 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 275.04



liters wine is recovered from the open land belonging to the 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 275.04 liters wine is recovered from the open land belonging to the 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 A.D.J. 2nd-cum-Special Judge, Excise Act, Samastipur, in connection with Excise Case No. 160/2021,



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

(Sudhir Singh, J)

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