

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54784 of 2021

Arising Out of PS. Case No.-50 Year-2019 Thana- FULKAHA District- Araria

RAMAN KUMAR YADAV @ RAMAN KUMAR, Male, aged about 32 years, Son of Subodh Kumar @ Subodh Yadav @ Subodh Kumar Yadav, Resident of Village - Manikpur, P.S. - Fulkaha, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate
For the Opposite Party : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2021 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 Fulkaha P.S. Case No. 50 of 2019 for the offence registered under Sections 30(a), 37(c), 41(i) and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 42.300 liters wine is recovered from the Motorcycle in question.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 42.300 liters wine is recovered from the Motorcycle in question. The petitioner is not the owner of the Motorcycle in question. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. 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. 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/ 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 Additional Sessions Judge-II-cum-Special Judge, Araria, in connection with Fulkaha P.S. Case No. 50/2019,



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

(Sudhir Singh, J)

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