

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53896 of 2021

Arising Out of PS. Case No.-367 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

Manjoor Ansari S/O Multan Ansari @ Multan Miya R/O Village-Pakri
Makariyar, P.S-Dhanavti O.P., District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

Further, counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the application.

The petitioner is apprehending his arrest in connection with siwan Muffasil (Dhanauti O.P.) P.S. case No.367 of 2021 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 14.400 liters wine is recovered.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in this case. The name of the petitioner has transpired in this case on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 14.400 liters wine is recovered from the shop of co-accused. The petitioner had no knowledge regarding the alleged incident. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned Additional Sessions Judge IId-cum-Special Judge, Excise, Siwan in



connection with Siwan Muffasil (Dhanauti O.P.) P.S. case
No.367 of 2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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