

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1943 of 2021**

Arising Out of PS. Case No.-47 Year-2020 Thana- PARIHAR District- Sitamarhi

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BINOD KUMAR @ BONOD RAY @ VINOD RAI Son of Jagdish Ray @
Jagdish Rai Resident of Village- Mahadeopatti, P.S.- Parihar, District-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Abhay Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

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

The petitioner is apprehending his arrest in a case
registered under Sections 30(a)(c) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 324.660 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 as the open field and the scorio car, from where the recovery of liquor is said to have been made, belong to the petitioner. The petitioner denies that the open field and the scorio car, from where the liquor is said to have been recovered, belong to the petitioner. It is alleged that 324.660 liters wine is recovered in abandoned state from the open field and the scorio car. 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 and also the lockdown, 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 his personal bond to the satisfaction of Additional District and Sessions Judge II-cum-Special Judge, Excise Act, Sitamarhi in connection with Parihar P.S. case No.47 of 2020, subject to the conditions as laid down under Section 438(2) of

the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

Narendra/-

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