

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54818 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- RAJEPUR District- East Champaran

RAJ KISHORE SINGH Son of Late Asnarayan Singh Resident of Village -
Maniyarpur, P.S. - Rajepur, District - East Champaran. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 272, 273 of the Indian Penal Code and
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The name of the petitioner has transpired as the
recovery is made from the joint house of the petitioner where



other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 4 liters wine is recovered from the joint house of the petitioner. 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, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran at Motihari in connection with Rajepur P.S. Case No. 58 of 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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