

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53443 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

SUNIL RAI son of Yogendra Rai Resident of Village - Krishna Toli, P.S.-
Brahampura, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, 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.

The petitioner is apprehending his arrest in connection
with Brahampura P.S. case No.305/2020 registered under
Sections 30(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 450 pieces of
empty bottles, 7 bags of empty bottles and 12 liters acid are
recovered from the scrap shop.

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. It is alleged that 450 pieces of empty bottles, 7 bags of empty bottles and 12 liters acid are recovered from the scrap shop. The scrap shop in question used to run on the land of the petitioner. The petitioner is not the owner of scrap shop in question. There is no recovery of liquor from the possession of the petitioner.

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 Special Judge, Excise Act, Muzaffarpur in connection with Brahampura P.S. case No.305/2020, 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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