

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3735 of 2021**

Arising Out of PS. Case No.-272 Year-2020 Thana- SAHPUR District- Bhojpur

=====

Pintu Yadav @ Pintu Kumar Son Of Deo Munni Yadav @ Dev Munni Singh  
Resident Of Village- Tetariya Birpur, Police Station- Shahpur, District-  
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Gopal Govind Mishra, Advocate

For the Opposite Party/s : Mr.Nityanand Tiwary, APP

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-07-2021                      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) of the Bihar Prohibition and  
Excise Act, 2016.

The prosecution case, in short, is that 50 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that  
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 disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 50 liters wine is recovered from the 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 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 learned 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur, Ara in connection with Shahpur P.S. case No.272 of 2020, Excise case No.1164 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/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

