

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56413 of 2021**

Arising Out of PS. Case No.-256 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Purnia

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UTTAM KUMAR S/O- Late Ishwari Singh R/o Mohalla - Near Patna Dairy  
Project Phulwari Sharif, P.S. Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ram Shankar Das  
For the Opposite Party/s : Mr.Rita Verma

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

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

Learned 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 a case  
registered for the offence under Section-30(a) of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3 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 petitioner  
has been falsely implicated in the present case. It is alleged that 3



liters wine is recovered from the car. The petitioner is said to be owner of the said car. The said car is run as a public carrier. The petitioner had no knowledge regarding the goods kept in the car. 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.

Considering the aforesaid facts and circumstances of the case, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Purnea in connection with C.I. Case No. 256 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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