

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.816 of 2021**

Arising Out of PS. Case No.-89 Year-2019 Thana- PUSA District- Samastipur

AMRENDRA KUMAR son of Ram Autar Singh Resident of Village-
Morsand, P.S.- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

2 29-04-2021 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.

The petitioner is apprehending his arrest in a case registered under Sections 30(a), 41(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 198 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 petitioner is not named in the F.I.R. The name of the



petitioner has transpired in this case as being the owner of the car in question. The car in question was sold by the petitioner prior to occurrence. It is alleged that 198 liters wine is recovered from the car in question. 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 not named in the complaint case/F.I.R.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Pusa P.S. case No.89 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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