

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1173 of 2021

Arising Out of PS. Case No.-405 Year-2019 Thana- NAANPUR District- Sitamarhi

Govind Kumar @ Govind Thakur S/O Late Sanjay Thakur Resident Of
Village-Basua, P.S.-AURAI, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr. Ashraf Ansari, 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.

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

The petitioner is apprehending his arrest in a case
registered under Sections 30, 30(a), 38(i) (ii) and 41 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1718 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 merely on



the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1718 liters wine is recovered from a truck and a van. The truck and the van in question do not belong to 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 and also the lockdown, 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 his personal bond to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Sitamarhi in connection with Nanpur P.S. Case No. 405/19, 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)

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