

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56864 of 2021

Arising Out of PS. Case No.-507 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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DEV NANDAN PRASAD KESHARI @ DEV NANDAN SAO Son of
Munni Sao Resident of Village - Masaundha, P.S. - Mohanpur, District -
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2021 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 Excise case No.507/2020 registered under Sections 30(a),
56(b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5.625 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. It is alleged that 5.625 liters wine is recovered from the motorcycle. The petitioner is the owner of the motorcycle in question. Said motorcycle was given by the petitioner to the co-villager for his personal use. The petitioner had no knowledge regarding the nature of goods kept in the motorcycle. 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, 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, Gaya in connection with Excise case No.507 of 2020, 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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