

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3062 of 2021

Arising Out of PS. Case No.-537 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SURAJ KUMAR, aged about 32 years (Male), S/o Arun Chaudhary, Resident
of Ulao, P.S.- Singhaul, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Kumar Verma, Advocate.
For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
counsel for the State through virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 30(a) and 32(2) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 232.24
liters wine is said to have been recovered from the Mini Truck
in question.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 232.24 liters wine is recovered from the Mini Truck in question. The name of the petitioner has transpired in the present case as the petitioner is alleged to be the owner of the Mini Truck in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the nature of the goods booked by the Transporter. 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 of the case and also the lockdown, let 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 the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Begusarai, in connection with Mufassil P.S. Case No. 537 of 2019, 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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