

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57909 of 2021

Arising Out of PS. Case No.-290 Year-2020 Thana- TEGHRHA District- Begusarai

NIKKU CHODHARI @ NIKKU KUMAR @ NISHANT KUMAR Son of
Dhananjay Sharma @ Dhananjay Choudhary Resident of Village- Daudpur
(Dadpur), P.S.- Teyay, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and the State.

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 (Amendment) Act, 2018.

The prosecution case, in short, is that 326.25 liters
wine is recovered.

It has been submitted on behalf of the petitioner that
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 326.25 liters wine is recovered by



the side of a canal. The name of the petitioner has transpired in this case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Teghra P.S. Case No. 290 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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