

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58059 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- BIBHUTIPUR District- Samastipur

RAJEEV KUMAR @ RAJEEV MAHTO @ BANTHA Son of Ram Lakhan
Singh @ Lakhan Mahto Resident of Village - Virshiya, P.S.- Bibhutipur,
District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Abhay Kumar

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 connection
with Bibhutipur P.S. Case No. 181 of 2021 registered for the
offence under Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 22.710 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 petitioner has been falsely implicated in the present case. It is alleged that 22.710 liters wine is recovered from joint house of 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.

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, Samastipur in connection with Bibhutipur P.S. Case No. 181 of 2021 , subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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