

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4221 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- SIMRI District- Darbhanga

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LALOO KUMAR YADAV @ LALU KUMAR YADAV Son of Sri
Ramashish Yadav @ Ram Ashish Yadav Resident of Village-Kakarghati
(Kakarghatt), P.S.-Sadar, District-Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks from the date of restoration of normalcy.

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

The prosecution case, in short, is that 110.880 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. The petitioner is said to be the owner of the car. The car in question is used to run as public transport. It is alleged that 110.880 liters wine is recovered from the car in question. The petitioner had no knowledge regarding the alleged incident. 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 and also the lockdown, 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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Darbhanga in connection with Simri P.S. case No.72 of 2020 giving rise to G.O. case No.438 of 2020, 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)

Narendra/-

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