

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7633 of 2021

Arising Out of PS. Case No.-430 Year-2020 Thana- SITAMARHI District- Sitamarhi

PAPPU KUMAR @ PAPPU KUMAR SINGH, aged about 28 years, Gender- Male, Son of Suresh Prasad, Resident of Village - Koat Bazar Ward No.15, P.S.- Sitamarhi, Distt.- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-05-2021 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 414/34 of the I.P.C. and 30(a), 36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 135 liters wine is said to have been recovered from the Tempo and Motorcycle in question.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 135 liters wine is recovered from the Tempo and Motorcycle in question. None of the vehicles in question belongs to the petitioner. The name of the petitioner has transpired in the present case on the basis of disclosure made by co-accused. 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 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/ 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 A.D.J.-IInd-cum-Special Judge, Excise Act, Sitamarhi, in connection with Sitamarhi P.S. Case No. 430/2020, 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)

U.K./-

U		T	
---	--	---	--

