

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60643 of 2021

Arising Out of PS. Case No.-1066 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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SUNIL KUMAR GUPTA Son of Lalan Sah Resident of Village - Mauna, P.S.
- Nasriganj, District - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-12-2021 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 eight weeks.

The petitioner is apprehending his arrest in connection
with Excise Case No.1066 of 2021, CIS No.1066 of 2021 registered
under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 216 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 falsely been implicated in this case. The
name of the petitioner has transpired in this case on disclosure made
by co-accused. Except for this, there is no other substantive evidence



to suggest the implication of the petitioner in this case. It is alleged that 216 liters wine is recovered from the van. The petitioner is not the owner of the van 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, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Aurangabad in connection with Excise Case No.1066 of 2021, CIS No.1066 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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