

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7621 of 2021

Arising Out of PS. Case No.-262 Year-2020 Thana- ROSERA District- Samastipur

RAHUL KUMAR SINGH @ BHUTANI SINGH, aged about 25 years
(Male), Son of Surendra Singh, Resident of Village- Araft, P.S.- Rosera,
District- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, 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 272, 273/34 of the I.P.C.
and 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

The prosecution story, in brief, is that total 33.3 liters
wine is said to have been recovered from the Flour Mill of the
co-accused.

It has been submitted by learned counsel for the



petitioner that the petitioner 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 33.3 liters wine is recovered from the Flour Mill of the co-accused. The name of the petitioner has transpired in the present case on the basis of disclosure made by local residents. The names of the local residents, who have named the petitioner, have not been disclosed by the prosecution. 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, Samastipur, in connection with Rosera P.S. Case No. 262/2020, Excise G.R.



No. 646/2020, 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)

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