

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62765 of 2021**

Arising Out of PS. Case No.-124 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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SANJEEV SAH @ SANJEET SAH S/o- Gauri Sah Resident of Village -
Punaura Ward No. - 2, P.S. - Punaura, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of eight
weeks.

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

The prosecution case, in short, is that 251.280 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 name of the petitioner has transpired as the recovery
is made from the joint house of the petitioner where other family



members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 251.280 liters wine is recovered from the 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./complaint case.

Considering the aforesaid facts and circumstances, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum- Special Judge, Excise Act, Sitamarhi in connection with C2 Case No. 124/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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