

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8634 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- JANTA BAZAR District- Saran

=====

VIRAT KUMAR Son of Shri Ramu Kushawaha @ Ramu Prasad Resident of
Village - Lahalad pur, P.S. - Janta Bazar, District - Saran at Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2021 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.

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 5.625 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 name of
the petitioner has transpired as the alleged recovery is made from the
courtyard in front of the joint house of the petitioner. Except for this,
there is no other substantive evidence to suggest the implication of
the petitioner in this case. It is alleged that 5.625 liters wine is



recovered from the courtyard in front of 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.

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 six 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 Additional Sessions Judge II-cum-Special Judge, Excise Court, Saran at Chapra in connection with Janta Bazar P.S. case No.108 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

