

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10005 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- DORIGANJ District- Saran

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Suman Rai, aged about 60 years, Gender-Male, Son Of Late Laddu Rai
Resident Of Village- East Baluan, P.S- Doriganj, District-Saran at Chapra.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party : Mr. A.G.

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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 Section 30(a) of the Bihar
Prohibition and Excise Act.

The prosecution story, in brief, is that total 20 liters
wine is said to have been recovered from the straw house of the
petitioner.

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 20 liters wine is recovered from the straw house belonging to joint family of the petitioner. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra, in connection with Doriganj P.S. Case No. 136 of 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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