

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65941 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- KATRA District- Muzaffarpur

=====

SUDHIR KUMAR @ BIKAU PRASAD Son of Late Madan Prasad R/o
Village - Pahsaul, P.S. - Katra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Ajay Kumar No. 2

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-12-2021 Heard learned counsel for the petitioner and the State through
virtual mode.

Learned 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
Katra P.S. Case No. 128 of 2021 registered for the offence under
Sections-30(a), 42, 41(3) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 102 liters wine is
recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner has
been falsely implicated in the present case. It is alleged that 102 litres wine
is recovered from the hut, situated on land of one Jale Prasad. The name of
the petitioner has transpired in this case on the basis of disclosure maby by
local chowkidar. Except for this, there is no other substantive evidence to



suggest the implication of the petitioner in the present 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.

Considering the aforesaid facts and circumstances of the case, 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 128 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

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

