

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64002 of 2021

Arising Out of PS. Case No.-255 Year-2020 Thana- KARPI District- Jehanabad

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AJIT KUMAR S/o Jangbahadur Yadav R/o village- Dahru Bigha, P.S.-
Uphara, District- Aurangabad (Owner of Seized Motorcycle)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-12-2021 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 eight weeks.

The petitioner is apprehending his arrest in connection
with Excise case No.983/2020 arising out of Karpi P.S. case
No.255/20 registered under Sections 30(a) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in short, is that 15 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 petitioner
has falsely been implicated in this case. It is alleged that 15 liters
wine is recovered from the motorcycle. The petitioner is the owner of
the motorcycle in question. The said motorcycle was given by the



petitioner to a co-villager for his personal use. The petitioner had no knowledge regarding the nature of goods kept in the motorcycle. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Jehanabad in connection with Excise case No.983/2020 arising out of Karpi P.S. case No.255/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

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(Sudhir Singh, J)

