

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64843 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- DEWARIA District- Muzaffarpur

RAJ JAISWAL @ SANJEET Son of Jageshwar Choudhary Resident of
Village - Dewariya Baniya Tola, P.S.- Dewariya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate

For the Opposite Party/s : Mrs.Veena Rani Prasad, APP

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 Dewariya P.S. case No.100 of 2021 registered under Sections
272, 273 of I.P.C. and Sections 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 26.880 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 petitioner has falsely been implicated in this case. The
name of the petitioner has transpired in this case as the alleged
recovery is made from the hut belonging to the joint family 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 26.880 liters wine is recovered from the hut belonging to the joint family of the petitioner. The petitioner had no knowledge regarding the alleged incident. 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 Special Judge, Excise, Muzaffarpur in connection with Dewariya P.S. case No.100 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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