

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65794 of 2021

Arising Out of PS. Case No.-245 Year-2021 Thana- TEGHRHA District- Begusarai

MANISH SAH @ MANISH KUMAR Son of Ashok Sah Resident of - Ward
No.- 8, Rampur Anchal, Teghra, Post - Amba, Rampur urf Khaje, Jahanpur,
P.S.- Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

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

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 Teghra P.S. Case No. 245 of 2021 registered for the offence
under Section-30(A) & 40(1)(2) of the Bihar Prohibition and Excise
Act, 2018.

The prosecution case, in short, is that 1238.40 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 been falsely implicated in the present



case. It is alleged that 1238.40 litres wine is recovered from Panchayat Bhawan. The name of the petitioner has transpired in this case on the basis of disclosure made by co-accused. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Begusarai in connection with Teghara P.S. Case No. 245 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	
---	--	---	--

