

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66362 of 2021

Arising Out of PS. Case No.-134 Year-2021 Thana- BIDUPUR District- Vaishali

BIPIN KUMAR @ LALU KUMAR Son of Gori Singh @ Gauri Singh
Resident of Village - Chechar, P.S.- Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Arun Kumar Pandey

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 Excise Case G.R. No. 332 of 2021 arising out of Bidupur
P.S. Case No. 134 of 2021 registered for the offence under
Sections-30(a)/41(i) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, in short, is that 2598.88 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 out of 2598.88 litres, 2324.8 wine is recovered from the truck, 180 litres wine is recovered from Bolero and 90 litres wine is recovered from the car. None of the vehicles belongs to the petitioner. The name of the petitioner has transpired in this case on the basis of disclosure made 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 Additional Sessions Judge-II-cum-Special Judge, Excise



Act, Vaishali at Hajipur in connection with Excise Case G.R.
No. 332 of 2021 arising out of Bidupur P.S. Case No. 134 of
2021, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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