

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66845 of 2021

Arising Out of PS. Case No.-269 Year-2020 Thana- BIHARIGANJ District- Madhepura

MANOJ MURMU SON OF LATE MAHENDRA MURMU RESIDENT OF
VILLAGE- JAUTELI SANTHALI TOLA,PS - BIHARIGANJ,DIST -
MADHEPURA

... .. Petitioner/s

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and the State.

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 No. 723 of 2020 arising out of Bihariganj P.S. Case No. 269 of 2020 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 70 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 70 litres, 15 litres wine is recovered from joint house of the



petitioner, 45 litres wine is recovered from the house of co-accused and 10 litres wine is recovered from house of another co-accused. 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, Madhepura in connection with Excise Case No. 723 of 2020 arising out of Bihariganj P.S. Case No. 269 of 2020, 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	
---	--	---	--

