

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67209 of 2021**

Arising Out of PS. Case No.-85 Year-2021 Thana- RISIYAP District- Aurangabad

TAUKIR ALAM Son of Qayum Ansari @ Abdul Qayum Ansari Resident of  
Village - Sekhpura, P.S. - Tandwa, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailesh Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar

**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 Risiup P.S. Case No. 85 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Amended Act, 2018.

The prosecution case, in short, is that 225 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 made accused in the present case due to mistake of



fact. It is alleged that 225 litres wine is recovered from a Bolero Car. One motorcycle was also seized. The petitioner is said to be owner of the motorcycle, in question. The said motorcycle was given by the petitioner to his villager for his personal use. The Bolero car does not belong to the petitioner. 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, Aurangabad in connection with Risiup P.S. Case No. 85 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.//-

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