

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67864 of 2021

Arising Out of PS. Case No.-137 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

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ARVIND YADAV @ PAPPU YADAV, Male, aged about 52 years, Son of
Patel Yadav, Resident of Village - Gopalpur, Bahadurpur, P.S.- Industrial
Area, Distt.- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Swapnil Kumar Singh, Advocate
For the Opposite Party : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Industrial Area P.S. Case No. 137/2021 for the offence
registered under Sections 188 and 290 of the I.P.C., and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 21 liters
wine is recovered from the house of the petitioner.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 21 liters wine is recovered from the house of the petitioner. The said house was given on rent to one Sonam Kumari since last ten years. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let 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 the learned Additional Sessions Judge-II-cum-Special Judge, (Excise Act), Bhagalpur, in connection with Industrial P.S. Case



No. 137/2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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