

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67850 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- DUMRA District- Sitamarhi

NAWAL KUMAR @ NAVAL KUMAR, aged about-25 years, Gender-Male,
S/o Gauri Shankar Singh, R/o Village- Bachharpur, P.S.- Dumra, Dist-
Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate
For the Opposite Party : Mrs. Pronoti Singh, A.P.P.

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 Dumra P.S. Case No. 14/2021 for the offence registered
under Sections 414 of the I.P.C. and 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1082.160
liters wine is recovered from the Pick-up Van in question.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 1082.160 liters wine is recovered from the Pick-up Van in question. The petitioner is not the owner of the Pick-up Van in question. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. 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 A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi,



in connection with Dumra P.S. Case No. 14/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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