

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68280 of 2021

Arising Out of PS. Case No.-246 Year-2021 Thana- GORAUL District- Vaishali

SUMIT KUMAR SINGH @ CHANDAN SINGH, aged about 37 years, M,
S/o Umesh Singh, R/o Village- Mahua Singh Rai, P.S.- Mahua, District-
Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party : Mr. Braj Kishore Pd.(App)

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 Goraul P.S. Case No. 246/2021 for the offence registered
under Sections 272, 273, 420, 467, 468, 471/34 of the I.P.C. and
30(a), 32(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The prosecution story, in brief, is that total 5752.80
liters wine is recovered from the Truck 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 5752.80 liters wine is recovered from the Truck in question. The Truck in question does not belong to the petitioner. 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 Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, in connection with Goraul P.S. Case No.



246/2021, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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