

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80477 of 2019

Arising Out of PS. Case No.-160 Year-2019 Thana- NAUTAN District- Siwan

ROHIT KUMAR BHARTI Son of Arjun Bharti Resident of Village - Papaur
Mathiya, P.S.- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 15-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection
with Nautan P.S. case No.160/2019 registered under Sections
30(a), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 9 liters wine is
recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in this
case. It is alleged that 9 liters wine is recovered from the scooty.
The petitioner is the owner of the scooty in question. The
petitioner had given the said scooty to the co-villager for his



personal use. The petitioner had no knowledge regarding the nature of goods kept in the scooty. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned Additional District and Sessions Judge II-cum-Special Judge (Excise), Siwan in connection with Nautan P.S. case NO.160/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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