

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6006 of 2022

Arising Out of PS. Case No.-703 Year-2020 Thana- MANER District- Patna

RAJU KUMAR @ LACHHAN RAI, (Male), aged about 34 years, Son of
Shivnandan Rai, Resident of Village - Haldi Chapara, Badal Tola, P.S.-
Maner, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Chhote Lal Mishra, Advocate
For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

Further, learned counsel for the petitioner is permitted
to make necessary correction in paragraph no. 1 of the bail
application, in course of the day.

The petitioner is apprehending his arrest in connection
with Maner P.S. Case No. 703/2020 for the offence registered
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The prosecution story, in brief, is that total 140 liters



wine is recovered from the *Gallons*.

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 140 liters wine is recovered. Out of which, 35 liters wine is said to have been recovered from the *Gallon* of the petitioner. The name of the petitioner has transpired in the present case on the basis of disclosure made by local *Chaukidar*. 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 Ist Special Judge, Excise, Patna, in connection with Maner P.S. Case No. 703/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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