

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7472 of 2022**

Arising Out of PS. Case No.-609 Year-2021 Thana- MANER District- Patna

=====  
Harijee Kumar @ Harijee, aged about 35 years (Male), Son Of Late Ram  
Dayal Rai, R/O Tata Colony, Beyapur, P.S.- Maner, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====  
**Appearance :**

For the Petitioner : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party : Mr. Shailendra Kumar, A.P.P.

=====  
**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-02-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State through Virtual mode.

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

The petitioner is apprehending his arrest in connection  
with Special Case No. 5547/021, arising out of Maner P.S. Case  
No. 609/021 for the offence registered under Section 30(a) of  
the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 720 liters  
wine is recovered from the room of co-accused.

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 720 liters wine is recovered from the room of co-accused. 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 Special Judge, Excise Act, Danapur, Patna, in connection with Special Case No. 5547/021, arising out of



Maner P.S. Case No. 609/021, subject to the conditions as laid  
down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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