

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8736 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

BABU LAL RAWANI S/o Prabhu Rawani Tola Hardhowa Vill - Kurumba,
Post - Kurumba, Kurumba Bokaro, Chandrapura, Jharkhand - 828403.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kanchan Kumari, Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-03-2022 Heard learned counsel for the petitioner and learned APP
for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioner submits that in the prayer portion of the present petition, due to typographical error, P.S. case number has wrongly been typed as “Town P.S. case No.10 of 2021” in place of “Jagdishpur P.S. case No.10 of 2021”.

Let in the prayer portion of the petition, the words “Town P.S. case No.10 of 2021” be corrected to be read as “Jagdishpur P.S. case No.10 of 2021”.

The petitioner is apprehending his arrest in a case registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 531 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 531 liters wine is recovered from the vehicle. The vehicle in question belongs to the petitioner. Said vehicle is run as public carrier. The petitioner had no knowledge regarding the nature of goods being carried in the vehicle. 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 Upper Session Judge 2nd-cum-Special Judge, Excise, Bhagalpur in connection with Jagdishpur P.S. case No.10 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

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(Sudhir Singh, J)

