

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8118 of 2022

Arising Out of PS. Case No.-271 Year-2021 Thana- NADI P.S. District- Patna

VIJAY CHAURASIYA @ VIJAY PRASAD CHAURASIYA Son of Rajendra Prasad Chaurasiya Resident of Village - Gadhochak Kripal Tola, Fatwah, P.S.- Nadi, Dist.- Patna.803201, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Kumar Singh, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

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

The petitioner is apprehending his arrest in connection with Nadi, Patna P.S. Case No. 271 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 89.75 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 89.75



litres wine is recovered from the cowshed situated behind the line hotel of the petitioner. The cowshed does not belong to the petitioner. 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.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/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 Special Judge, Excise, Patna in connection with Nadi P.S. Case No. 271 of 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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