

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8745 of 2022**

Arising Out of PS. Case No.-247 Year-2021 Thana- DURAULI District- Siwan

Dev Kumar Chaudhary S/O Late Dudhnath Chaudhary R/O Village-  
Balbangra, P.S. Duraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate  
For the Opposite Party/s : Mrs.Sangeeta Sharma, 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.

The petitioner is apprehending his arrest in connection with Darauli P.S. case No.247 of 2021 registered under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4.160 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 4.160 liters wine is recovered from the Scorpio car. The petitioner is the owner of the Scorpio car in question. Same is run as public carrier. The petitioner had no knowledge regarding the nature of goods being carried in the car. 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 Special Judge, Excise Court No.01, Siwan in connection with Darauli P.S. case No.247 of 2021, 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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