

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10375 of 2022

Arising Out of PS. Case No.-382 Year-2021 Thana- RAMNAGAR District- West Champaran

NATHU CHAUDHARY S/o Bihari Chaudhary Resident of Jura Pakdi, P.S.-
Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 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 Ramnagar P.S. Case No. 382 of 2021 registered for the offence
under Sections-147, 149, 224 and 353 of the Indian Penal Code and
Sections-30(a) and 45 of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 2.5 liters wine is
recovered.

It has been submitted on behalf of the petitioner that he
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 2.5 litres wine



is recovered from the house of co-accused. The name of the petitioner has transpired in this case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Pramod Kunmar, Special Judge, Excise, Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 382 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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