

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11347 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- MINAPUR District- Muzaffarpur

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BALKRISHNA KUMAR @ MONU SON OF LATE LALIT SHARMA R/O
VILLAGE- RAMPURHARI, P.S.- MINAPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2022 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 Minapur P.S. Case No. 114 of 2021 registered for the offence
under Sections-272, 273, 34 of the Indian Penal Code and Section-
30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 413.300 liters wine
is recovered.

It has been submitted on behalf of the petitioner that 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 out of 413.100 litres, 402.100 litres wine is recovered from joint house of the petitioner whereas 11.2 litres wine is recovered from three motorcycles. 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, Muzaffarpur in connection with Minapur P.S. Case No. 114 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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