

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11877 of 2022**

Arising Out of PS. Case No.-360 Year-2021 Thana- NAWANAGAR District- Buxar

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ARUN SINGH @ ARUN KUMAR SINGH, aged about 26 years, Male, S/o
Nand Bihari Singh, R/o Village - Tetrahar, P.S. - Nawanagar, District - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party : Mr. Anant Kumar 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioner and learned
counsel for the State through Virtual mode.

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

The petitioner is apprehending his arrest in connection
with Nawanagar P.S. Case No. 360/2021 for the offence
registered under Sections 30(a) and 30(d) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 45 liters
wine is recovered from the car parked in front of the house of



the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 45 liters wine is recovered from the car parked in front of the house of the petitioner. The petitioner is not the owner of the car in question. The petitioner had no knowledge regarding the liquor kept in the car in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let 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



the learned Special Judge-2, Excise Act, Buxar, in connection with Nawanagar P.S. Case No. 360/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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