

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12170 of 2022

Arising Out of PS. Case No.-438 Year-2021 Thana- KOILWAR District- Bhojpur

CHANDAN SINGH, aged about 30 years, Male, S/o Late Banvir Singh,
Resident of Village- Dhandiha, P.S.- Koilwar, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate

For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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 Koilwar P.S. Case No. 438 of 2021 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 64.750
liters wine is recovered from the bamboo clump belonging to
joint family of the petitioner and from the Motorcycle in
question.

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 24.750 liters wine is recovered from the bamboo clump belonging to joint family of the petitioner and 40 liters wine is recovered from the Motorcycle in question. The petitioner is not the owner of the Motorcycle 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 Additional District and Sessions Judge-11th-cum-Exclusive Special Excise Court No. 2, Bhojpur at Ara, in



connection with Koilwar P.S. Case No. 438 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

