

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14322 of 2022**

Arising Out of PS. Case No.-722 Year-2020 Thana- SAKRA District- Muzaffarpur

Jhunjhun Ray @ Sumit Kumar Ray Son Of Surendra Rai @ Surendra Ray  
R/O Village- Mohammadpur Mohan, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hari Kishore Thakur,, Advocate  
For the Opposite Party/s : Mrs.Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      01-04-2022      Heard learned counsel for the petitioner and learned APP  
for 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 a case registered under Sections 414/34 of the Indian Penal Code and 30(a), 41, 56(B) and 56(D) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 94.41 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the part recovery is made from the joint house of the petitioner where other family members also reside.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 94.41 liters wine is recovered out of which 41.760 liters wine is recovered from the joint house of the petitioner. 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, 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 Exclusive Special Excise Court No. 1, Muzaffarpur in connection with Sakra P.S. Case No. 722 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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