

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16355 of 2022

Arising Out of PS. Case No.-309 Year-2021 Thana- DUMRA District- Sitamarhi

Sunil Kumar @ Sunil Paswan Son Of Nagendra Paswan R/O Village- Bulua,
P.S.- Dumara, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Murari, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

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 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 611.700 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 falsely been implicated in this case. The name of the petitioner has transpired in this case on disclosure made by co-accused. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 611.700 liters wine is recovered from the truck. The petitioner is not the owner of the truck in question. The petitioner had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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 learned Exclusive Special Excise Court No.1, Sitamarhi in connection with Dumara P.S. case No.309 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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