

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16001 of 2022

Arising Out of PS. Case No.-222 Year-2021 Thana- RAJAOLI District- Nawada

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UMESH RAJBANSHI @ LADDU RAJBANSHI Son of Musafir Rajbanshi
Resident of Village - Mohkama, P.S.- Rajauli, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

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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.

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 30(a) (d) and 41 of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in short, is that 100 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 name of the petitioner has come on the basis of secret
information as per F.I.R. The source and genuineness of the secret
information has not been disclosed by the prosecution. Except for



this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 100 liters wine is recovered by the side of river. 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, 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-2, Nawada in connection with Rajauli P.S. Case No. 222/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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