

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16333 of 2022

Arising Out of PS. Case No.-550 Year-2021 Thana- MALSALAMI District- Patna

Vikash Paswan @ Vikash Kumar Son Of Kishore Paswan Resident Of
Nakhas Kasai Akhara, Pani Tanki, P.S.- Malsalami, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, 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.

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

The prosecution case, in short, is that 120 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 transpired on the basis of
disclosure made by the local residents. The names of local residents,
who have named the petitioner, have 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 120 liters wine is recovered from the open field in abandoned state. 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 Special Judge, Excise, Patna City, Patna in connection with Malsalami P.S. Case No. 550 of 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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