

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16954 of 2022

Arising Out of PS. Case No.-380 Year-2021 Thana- PATORI District- Samastipur

Yaduvansh Rai @ Yaduvansh Kumar Ray Son Of Late Sindhu Rai Resident
Of Village- North Dhmon, P.S.- Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mrs.Renu Kumari, 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 272, 273 of I.P.C. and Sections 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 7.750 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 as the



alleged recovery is made from the joint house of the petitioner where the 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 7.750 liters wine is recovered from the joint house of the petitioner. 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 Special Judge (Excise)-2, Samastipur in connection with Patori P.S. case No.380 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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