

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19674 of 2022

Arising Out of PS. Case No.-79 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Anand Singh @ Anand Kumar @ Pujan Son Of Om Prakash Singh R/O
Village- Ratanpur, Ward No.-20, P.S.- Ratanpur O.P., District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and 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 connection
with Complaint Case No. 79 C-2 of 2020 registered for the
offence under Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 1126.980 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 petitioner has been falsely implicated in the present case. It is alleged that 1126.980 litres wine is recovered from the truck. The truck, in question does not belong to the petitioner. The name of the petitioner has transpired in this case on the basis of disclosure made by local residents. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. 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. Learned counsel for the petitioner has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari vs State of Bihar).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, 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/- (Rupees ten thousand)



with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court-2, Begusarai in connection with Complaint Case No. 79 C-2 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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