

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19565 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- FATUA District- Patna

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ARVIND KUMAR @ ARVIND RAY @ ARVIND YADAV @ NAVIN
SINGH @ NAVIN RAY S/o Ramgulel Ray Resident of Village- Jethule,
Police Station- Nadi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-04-2022 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)/56(c) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, in short, is that total 2301.120
liters wine is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in this case. It is alleged that total 2301.120 liters wine is recovered, out of which 15.750 liters wine is recovered from the Scorpio. The petitioner is alleged to be the owner of the Scorpio in question. Said Scorpio is run as public vehicle. The petitioner had no knowledge regarding the nature of goods kept in the Scorpio. Nothing incriminating has been recovered from the conscious possession of the petitioner. 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 Criminal Appeal No.626 of 2022 (Sweta Kumari versus State of Bihar).

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, Patna City, Patna in connection with Fatuha P.S. case No.31/2022, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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