

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19302 of 2022**

Arising Out of PS. Case No.-147 Year-2021 Thana- CHANAN District- Lakhisarai

SUBODH KUMAR S/o Jay Prakash Chourasiya Resident of Churaman
Bigha, P.S.- Chanan, District- Lakhisaray.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**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)(b)(c) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that empty bottles of
wine and stickers are 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 empty
bottles of wine and stickers are recovered from the courtyard
belonging to the joint family 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. 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 A.D.J. II-cum-Special Judge, Excise, Lakhisaray in connection with Chanan P.S. case No.147/2021, 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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