

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21545 of 2022**

Arising Out of PS. Case No.-23 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Begusarai

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CHANDRAHAS KUMAR @ KARU SINGH S/o Ram Vilas Singh  
Residence of Village- Rahatpur, Police Station- Balia, 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. Nand Kishore Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      29-04-2022                      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. 23 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 686.160 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 been falsely implicated in the present  
case. It is alleged that 686.160 litres wine is recovered from the open  
field, in question. The open field, 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-II, Begusarai in connection with Complaint Case No. 23 C-2 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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