

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23007 of 2022

Arising Out of PS. Case No.-316 Year-2021 Thana- LALGANJ District- Vaishali

Ratnesh Rai @ Ratnesh Kumar Son Of Guru Dayal Ray R/O Village-
Jafarabad, P.S.- Lalganj, District- Vaishali At Hajipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-05-2022 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) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 100 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 on the basis of
disclosure made by the local Chaukidar. Except for this, there is no
other substantive evidence to suggest the implication of the petitioner



in this case. It is alleged that 100 liters wine is recovered from the Bhatti. 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 Cr. 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 Exclusive Special Excise Court No.I-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. case No.316/2021, 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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