

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63186 of 2021**

Arising Out of PS. Case No.-127 Year-2021 Thana- JANDAHA District- Vaishali

SONU SINGH @ RAHUL @ RAHUL KUMAR S/O DILIP SINGH R/o
village- Mukundpur Bath, Near Guru Chowk, P.S.- Jandaha, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Asha Devi, APP

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

2 08-04-2022 Heard learned counsel for the petitioner and learned APP
for 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 a case
registered under Sections 420, 465, 467, 468, 471, 120B of the Indian
Penal Code and 30(A), 36 and 41(1) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that in course of checking
of vehicle, 5687.280 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 name of the petitioner has come on the basis of secret
information as per F.I.R. The source and genuineness of the secret



information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 5687.280 liters wine is recovered from a truck. The petitioner is not the owner of the truck in question. 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.

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

Considering the aforesaid facts and circumstances, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum- Special Judge, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 127/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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