

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58111 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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1. Manju Devi Wife of Raj Bansi Sahani
2. Raj Bansi Sahani Son of Late Jamun Sahani Both residents of Village Rampur Chakla, P.S. Jandaha, District Vaishali.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case instituted under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 83 litres of liquor is said to have been recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has come on the basis of suspicion only. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case.



It is alleged that 83 litres of liquor is recovered from a poultry farm in question. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Jandaha P.S. Case No. 193/2016, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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