

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61529 of 2017

Arising Out of PS.Case No. -252 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Bhagat Mahto
 2. Lalan Mahto
 3. Rajmati Devi @ Rajpati Devi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2017 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 Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 20 litres of wine
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
secret information as per F.I.R. The source and genuineness of the
information has not been disclosed by the prosecution. Except for
this, there is no other substantive evidence to suggest the



implication of the petitioners in the present case. It is alleged that 20 litres of wine is recovered from the joint house of the petitioners, where other family members also reside. 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 Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner 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 Ramnagar P.S. Case No.252/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), West Champaran, Bettiah, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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