

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59445 of 2017**

Arising Out of PS. Case No.-155 Year-2016 Thana- LAUKHA District- Madhubani

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1. Parashuram Prasad @ Parashuram Gupta, Son of Surya Nr. Prasad. null
  2. Mohan Ram, Son of Ram Lakhan Ram.
  3. Pramod Kumar Gupta @ Pramod Gupta, Son of Hari Narayan Prasad. All are resident of Village- Dhanushi, Sarv Seema, P.S.- (Lalmania- O.P.) Laukaha, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. ADITYA NARAYAN SINGH 1

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

2      13-12-2017              Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 272, 273, 353, 504/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 25 liters wine is recovered from the dickey of the motorcycle.

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. It is alleged that 25 liters wine is recovered from the dickey of the motorcycle parked by the side of the road. The



said motorcycle does not belong to the petitioners. The name of the petitioners has come merely on the basis of suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. 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 is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Madhubani in connection with Laukaha P.S. case No.155 of 2016, 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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