

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28925 of 2018

Arising Out of PS. Case No.-318 Year-2017 Thana- BANMANKHI District- Purnia

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1. Ganga Murmu, S/o Sri Pradhan Murmu,
 2. Tala Hembram S/o Sri Jetha Hembram,
 3. Sone Lal Hembram S/o Sri Chandra Hembram, All R/o Vill.-
Lodhiya Tola, Kajhi, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 30 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is made from the bush situated at the back of the house of the petitioners. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 30 liters wine is recovered from the bush 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 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) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Purnea in connection with Special Excise Case No.3024 of 2017 arising out of Banmankhi P.S. case No.318 of 2017, 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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