

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39203 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- JAHANABAD District- Jehanabad

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1. Pramod Chaudhary, S/o Lal Kishun Choudhary,
2. Vimal Chaudhary S/o Lal Kishun Chaudhary, Both R/o Vill.-
Babhn, P.S.- Jehanabad, Distt.- Jehanabad. Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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

The prosecution case, in short, is that 31 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired as the alleged recovery is made from the joint house of the petitioners where the other family members also reside. Except for this, there is no other substantive evidence to suggest the implication



of the petitioners in this case. It is alleged that 15 and 16 liters wine have been recovered from the joint house of the petitioner nos. 1 and 2 respectively. 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./complaint case.

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 Additional Sessions Judge-II, Jehanabad in connection with Jehanabad P.S. Case No. 89 of 2018 (Excise Case No. 113/2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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