

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46831 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Navin Rai, S/o Late Shankar Rai,
2. Arun Rai S/o Late Laxman Rai, Both R/o Vill.- Nehalpur, P.S.- Minapur,
District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case registered under Sections-30(a) & 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 200.52 liters wine is 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 transpired as the alleged recovery is said to have been made from joint house as well as joint cattle shed of the petitioners respectively. Except for this, there is no



other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 200.52 liters wine is recovered from three different places including a car. The car in question does not belong to the petitioners. 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 Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 36 of 2018 arising out of PR No. 17 of 2017-18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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