

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48602 of 2018

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1. Gita Devi, W/o- Sitaram Singh
2. Sitaram Singh, Son of Late Ram Balak Singh, Both resident of Mohalla-
Ratanpur Kewal, P.S.- Sakra, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ravi Ranjan

For the Opposite Party : Mr. Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 Counsel for the petitioners is permitted to make

necessary correction in paragraph 8 of the main application in

course of the day.

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 Indian Penal Code and
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3.75 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 of the petitioners where 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 3.75 liters wine is recovered from joint house of 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 Sakra P.S. Case No. 293 of 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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