

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62306 of 2018

Arising Out of PS.Case No. -105 Year- 2018 Thana -KALUAHI District- MADHUBANI

- =====
1. Bholu Mukhiya, S/o Abadh Mukhiya &
 2. Santosh Mukhiya, S/o Abadh Mukhiya
- Both residents of Village-Manga Tol Belahi, P.S. Kaluahi, District-Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Ram Bachan Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 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, 273/34 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 18 liters wine is recovered.

It has been submitted on behalf of the petitioners there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired on the basis of disclosure made by the co-accused namely, Shashikant Mukhiya. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged



that 18 liters wine is recovered from the motorcycle car in question. The motorcycle 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 2nd Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Kaluahi P.S. Case No. 105 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

