

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65902 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- MUSRIGHRARI District- Samastipur

1. Gopi Das
2. Mohan Das @ Mohan Kumar Das,
Both sons of Karpuri Das, Both resident of village Latbasepura, P.s.-
Musrigharari, District- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-10-2018 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 of the Indian Penal Code and 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 86.40 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 names of the petitioners have transpired as being tenants of the premises from where the alleged recovery has been made. Except for this, there is no other substantive



evidence to suggest the implication of the petitioners in this case. It is alleged that 86.40 liters wine is recovered from the premises 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./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 -III-cum- Special Judge, Excise, Samastipur in connection with Musrigharari P.S. Case No. 112/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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