

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3215 of 2018

Arising Out of PS. Case No.-455 Year-2017 Thana- TURKAULIYA District- East
Champaran

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1. Khedu Paswan S/o Shambhu Paswan,
 2. Rajju Paswan @ Raju Paswan S/o Budhan Paswan,
 3. Ramnath Paswan S/o Bhagelu Paswan, All R/o Village- Turkaulia
Chauk, P.S.- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Advocate
For the Opposite Party/s : Mr. JAI NARAIN THAKUR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2018 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 I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 9 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 petitioner No.1 has transpired as the alleged recovery is made from the joint house of petitioner No.1. As far petitioner Nos.2 and 3 are concerned, they are the villagers and their name has transpired in the present case on the basis of secret information. Except for this, there is no other substantive evidence to suggest the implication of



the petitioners in this case. It is alleged that 9 liters wine is recovered from the joint house of petitioner No.1 where the other family members also reside. 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, Motihari, East Champaran in connection with Turkauliya P.S. case No.455 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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