

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21561 of 2018

Arising Out of PS. Case No.-50 Year-2017 Thana- CHAURADANO District- East
Champaran

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1. Raj Kumar @ Raju Kumar, S/o Kishori Sah,
 2. Dilip Kumar @ Dilip Kumay S/o Kishori Sah, Both are R/o
Village- Hiramani, P.S.- Chhauradano, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey

For the Opposite Party/s : Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2018 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 8 liters wine is
recovered.

It has been submitted on behalf of the petitioner 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 made from the joint house of the petitioners
where the 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 8 liters wine is recovered from the 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise at Motihari, East Champaran in connection with Chhauradano P.S. case No.50 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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