

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29061 of 2018

Arising Out of PS.Case No. -225 Year- 2017 Thana -GUTHNI District- SIWAN

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1. Sitaram Pasi,
 2. Bhagwan Pasi
 3. Krishna Pasi All Sons of Late Vishwanath Pasi,
 4. Upendra @ Doma Pashi @ Upendra Pasi
 5. Chandan Pasi
 6. Jitendra Pashi All Sons of Sitaram Pasi,
 7. Shambhu Pasi @ Shambhu Chaudhary S/o Parma Pasi,
 8. Sonu Chaudhary S/o Krishna Pasi, All above resident of Guthani (Western) P.S.- Guthani, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raghav Prasad, Advocate.
For the State : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 272, 273, 308/34 of the I.P.C., 30(a)/38(a) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 50 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 50 liters wine is recovered from the back of house of the petitioners from open field. The name of the petitioners has come on the basis of alleged recovery made from the back of house of the petitioners from open field. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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 or 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 the learned Additional Sessions Judge-2-cum-Special Judge, Excise, Siwan, in connection with Guthani Police Station Case No. 225 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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(Sudhir Singh, J)

