

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33538 of 2018

Arising Out of PS.Case No. -87 Year- 2018 Thana -GAYGHAT District- MUZAFFARPUR

- =====
1. Rahul Singh, son of Khaderan Singh @ Satyendra Narayan Singh,
 2. Kaju Singh @ Raju Singh S/o Maha Shankar Singh,
 3. Surendra Kumar Singh @ Surendra Singh S/o Krishna Singh,
- All resident of Village – Berua, P.S. – Gaighat, District – Muzaffarpur Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Shashi Bala Verma

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 07-06-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners apprehend their arrest in connection with
Gaighat P.S. Case No. 87 of 2018, registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 173 liters of English
wine.

It has been submitted on behalf of the petitioners that
petitioners have falsely been implicated in this case and nothing
has been recovered from the conscious possession of the
petitioners and not arrested on the spot. It has been further
submitted that the informant has been managed by the defeated
Mukhiya candidate and just merely in order to harass and



humiliate the entire family of Rahul Singh, the instant case has been instituted without any valid and cogent material to connect them with the offence in question. According to the case of the informant entire recovery of liquor is said to have been made from *Maize* field which does not belong to the petitioners and as such they cannot be made liable for any such recovery. The petitioners have no concern with the field from where the said recovery is made by the informant nor they have any connection with the materials seized and as such entire case as against the petitioners appear to be definitely a case of plantation and false implication.

Considering the facts and circumstances of the case, let the petitioner above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Bihar Excise Act, Muzaffarpur in connection with Gaighat P.S. Case No. 87 of 2018, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

Ved/Rajeev/-
N.H./-

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