

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40881 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. Raja Sah @ Raja Kumar
2. Vikram Sah @ Vikram Kumar Both Sons of Satyanarayan Sah
Resident of Village - Shankar Saraiya (Kaswa Tola), Police
Station - Turkauliya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Smt. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1.800 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 petitioners has come on the basis of disclosure made by the local
residents as per F.I.R. The name of local residents, who have named
the petitioners, has not been disclosed by the prosecution. Except for
this, there is no other substantive evidence to suggest the implication



of the petitioners in this case. It is alleged that 1.800 liters wine is recovered from the car. The car in question does not belong to 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 petitioner 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 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran at Motihari in connection with Turkaulia P.S. case No.278 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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