

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46177 of 2018

Arising Out of PS.Case No. -143 Year- 2018 Thana -MAJHAHGARH District- GOPALGANJ

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1. Akhilesh Kumar Giri @ Akhilesh Giri, Son of Satyadeo Giri,
2. Shivnath Giri, Son of Late Munnilal Giri.
3. Manoj Giri, Son of Virendra Giri, All residents of Village Bhawaniganj,
P.S.- Majhagarh, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-08-2018 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 252.720 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 transpired on the basis of disclosure made by the co-accused namely, Deepak Giri. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that total 252.720 liters



wine is recovered from a scooty, a motorcycle and by the side of the road in question. The petitioners have no concern even either of the scooty or the motorcycle in question. 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Gopalganj in connection with Majhagarh P.S. Case No. 143 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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