

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46155 of 2018**

Arising Out of PS.Case No. -239 Year- 2018 Thana -HARSIDHI District- EASTCHAMPARAN  
(MOTIHARI)

=====

1. Rabish Kumar @ Ravish Kumar, S/o Virendra Kunwar,  
2. Balmiki Yadav S/o Late Binda Yadav, Both R/o Vill.- Kanchhedwa,  
P.S.- Harsidhi, District- East Champaran.

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      31-07-2018                      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 3.750 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, Rajkumar Singh. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 3.750 liters wine is recovered from Shashi Auto Centre. The said Shashi Auto Centre in question does not belong to the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioner 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 7<sup>th</sup> Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 239 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

