

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62527 of 2017

Arising Out of PS.Case No. -220 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

- =====
1. VINOD KUMAR @ VINOD RAI @VINOD KUMAR RAI, S/o
Devendra Rai,
2. Sanjit Kumar Rai S/o Arjun Rai, Both R/o Village- Saraidhanesh, P.S.-
Desari (Sahadei O.P.), Distt.- Vaishali.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 2 08-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 30(a), 38 and 41 of Bihar Prohibition
and Excise (Amendment) Act, 2016.

The prosecution story, in brief, is that total 939.6 litres
of liquor is said to have been recovered from the truck,
motorcycle and car in question.

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



suspicion. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that total 939.6 litres of liquor is recovered from the truck, motorcycle and car 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Desari (Sahadai O.P.) P.S. case No.220/2017, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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