

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41972 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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1. Purushottam Bhagat, S/o Late Bishwanath Bhagat,
 2. Rameshwar Bhagat @ Rameshwar Prasad Saini, S/o Late Bishwanath Bhagat, Both R/o East Dahiyawan, Mission Road, P.S.- Town , District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar Shrivastava

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-07-2018 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 30 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is made from the abandoned house belonging to the joint family of the petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 30 liters



wine is recovered from the abandoned house 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./complaint.

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 VIth Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Excise P/S case No.131/2018, 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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