

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3058 of 2018

Arising Out of PS. Case No.-19 Year-2017 Thana- SUKHANI District- Kishanganj

1. Geeta Devi w/o Rajesh Gupta @ Rajesh Kumar Sah
2. Vishal Kumar Sah @ Vishal Kumar S/o Rajesh Gupta, resident of village
Sukhani Kodagaon, P.s. Sukhani, District Kishanganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. SATYAVARAT VERMA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 31.500 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioner has come on the basis of disclosure made by the local Chaukidar as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 31.500 liters wine is



recovered from the motorcycle in question. The motorcycle 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 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 Additional Sessions Judge 2nd-cum-Special Judge, Kishanganj in connection with Special case No.471 of 2017 arising out of Sukhani P.S. case No.19 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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