

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38628 of 2018

Arising Out of PS.Case No. -262 Year- 2018 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Raju Sah,
2. Munna Sah @ Munna Kumar Both Sons of Sri Kishun Sah, R/o Vill.-
Madhopur Kamiti, P.S.- Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273, 34 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 31 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 as the alleged recovery is said to have been made from an abandoned shop 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 31 liters wine is recovered from an abandoned shop belonging to the joint family of 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 Special Judge, Excise Act, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 262 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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