

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71903 of 2018

Arising Out of PS. Case No.-333 Year-2018 Thana- BARAUNI District- Begusarai

1. Vikash Ray
2. Akash Ray,
Both son of Late Ram Bilash Ray, r/o- village Bariyahi, P.S.- Barauni,
Chakiya, O.P.- District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar
For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 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 and section 188 of the Indian Penal Code.

The prosecution case, in short, is that 6.375 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 names of the petitioners have transpired as the recovery is made from the field situated at the back of the house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 6.375 liters wine is



recovered from the field situated at the back of the house of the petitioner. 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 case.

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 -II-cum- Special Judge, Excise, Begusarai in connection with Barauni P.S. Case No. 333 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

