

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18872 of 2018

Arising Out of PS.Case No. -201 Year- 2017 Thana -KOILWAR District- BHOJPUR

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1. Chandrama Rai, S/o Late Dina Nath Rai,
 2. Bandhu Rai S/o Baban Rai,
 3. Sri Bhagwan Rai S/o Jagan Rai,
 4. Mahendra Rai S/o Munilal Rai,
 5. Raghubar Yadav, S/o Late Shyam Bihari Yadav. All are R/o Village-Suroundha Toka, P.S.- Koilwar, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sarveshwar Tiwary, Advocate.
For the Opposite Party : Mr. Atul Chandra, A.P.P. 12.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2018 Learned counsel for the petitioners is permitted to make necessary correction in the address of the petitioners, in course of the day.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 3 liters wine is said to have been recovered.

It has been submitted by learned counsel for the



petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 3 liters wine is recovered on the bank of the river. The name of the petitioners has come on the basis of disclosure made by local *Chaukidar*. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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 or 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 the learned Additional Sessions Judge-IV-cum-Special Court, Excise Act, Ara at Bhojpur, in connection with Koilwar P.S. Case No. 201/2017, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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(Sudhir Singh, J)

