

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.37125 of 2018**

Arising Out of PS.Case No. -71 Year- 2018 Thana -PIPRAKOTHI District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Nagendra Puri @ Nagendra Kumar Puri, S/o Late Parsuram Puri,
  2. Ravindra Puri S/o Late Parsuram Puri,
  3. Vijay Puri @ Vinay Kumar Puri, S/o Late Chandrika Puri, All are R/o  
Vill.- Kishanpur, P.S.- Pipra Kothi, District- East Champaran, Motihari.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Vipin Kumar Singh, Advocate.

For the Opposite Party : Mr. Lalan Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-07-2018                      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 1319.76  
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 1319.76 liters wine is recovered from the Mango Orchard. The Mango Orchard does not belong to the petitioners. The name of the petitioners has come on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. 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 District and Sessions Judge, IVth-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Pipra Kothi P.S. Case No. 71 of 2018, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

