

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20271 of 2018

Arising Out of PS. Case No.-427 Year-2017 Thana- DUMRA District- Sitamarhi

1. Dilip Chaudhary
2. Raj Kumar Chaudhary, both sons of Bishwanath Chaudhary
3. Vijay Chaudhary S/o Raghunath Chaudhary
4. Vinod Chaudhary S/o Ramashish Chaudhary, all are resident of ward No.1,
Bishnathpur, P.S. Dumra, District Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2018 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, 290 of the I.P.C. and Sections 30(A), 37(B) (c), 52 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that the petitioners were used to sale toddy.

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 come on the basis of disclosure made by the local residents as per F.I.R. The name of local residents, who have named the petitioner, 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. It is alleged that the toddy, which was found in the hut in question, was destroyed. The said hut in question does not belong to 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 2nd Additional and Sessions Judge-cum-Special Judge, Sitamarhi in connection with Dumra P.S. case No.427 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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