

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.65927 of 2018**

Arising Out of PS. Case No.-32 Year-2018 Thana- JADOPUR District- Gopalganj

1. Chhabila Bin @ Chhabila Sahani, s/o- Bishundeo Bin @ Bishun Bin @ Kishundeo Bin @ Kishun Bin  
2. Bigan Bin @ Bigan Sahani, s/o- Ramanand Sahani,  
Both are resident of village Bishunpur, Awadh Nagar, P.S.- Jadopur, District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lokesh Kumar Singh  
For the Opposite Party/s : Mr. Zainul Abedin

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

2      30-10-2018                      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 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 155 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 abandoned boat in question belonged to 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 155 liters wine is recovered from the abandoned boat in question. 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, Gopalganj in connection with Jadopur P.S. Case No. 32/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

