

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59339 of 2018

Arising Out of PS.Case No. -162 Year- 2018 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Ramayan Rai, S/o Late Shiv Bachan Rai,
2. Achchelal Rai @ Rajan Kumar S/o Late Shiv Bachan Rai, Both are R/o
Vill.- Baharampur, P.S.- Baikunthpur, District- Gopalganj... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-11-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in
a case registered for the offences punishable under
Sections 420/34 of the Indian Penal Code and Section
30(a), 41(i) (ii) of the Bihar Prohibition & Excise Act, 2016.

It has been submitted on behalf of the
petitioners that there is no allegation of tampering of
witnesses against the petitioners. The name of the
petitioners has come on the disclosure of co-accused-
Gopal Sharma. Except for this, there is no other
substantive evidence to suggest the implication of the
petitioners in this case. It is alleged that 1503 liters wine
was recovered from the truck, motorcycle and pick up van.
None of the vehicles in question belongs to the petitioners.



Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is non-compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Baikunthpur P.S.Case No. 162 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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