

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39396 of 2018

Arising Out of PS. Case No.-343 Year-2018 Thana- AHIAPUR District- Muzaffarpur

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1. Vijay Gupta @ Vijay Sah, Son of Dhanraj Sah,
 2. Sanjay Sah, Son of Dhanraj Sah, Both resident of Village-
Basghatta, P.S.- Katra, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 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, 420, 468, 482, 483/34 of the Indian Penal Code and Sections 30, 33, 34(a), 36, 54(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 60 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 petitioners are said to be landlord of the premises in question. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 60 liters wine is recovered from Aditya Anubhar who is tenant of 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 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 Special Judge, Excise Act, Muzaffarpur in connection with Ahiyapur P.S. Case No. 343 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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