

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6993 of 2018**

Arising Out of PS. Case No.-362 Year-2016 Thana- MOTIHARI MUFASIL District- East  
Champaran

- =====
1. Shivkali Devi, W/o Late Sukrim Sahni,
  2. Bharat Sahni S/o Late Sukrim Sahni, Both are R/o Village-  
Madhubani Ghat, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. KUMAR RANJIT RANJAN

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

2      08-02-2018              Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 47(A), 53(c) and 54 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2 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 name of the petitioners has transpired as the alleged recovery is said to have been made from the joint house of the petitioners, where other family members also reside.



Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 2 liters wine is recovered from the joint house 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 petitioner is 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 VIIth Addl. Sessions Judge, Motihari, East Champaran in connection with Muffasil P.S. case No.362 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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