

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9178 of 2018

Arising Out of PS.Case No. -308 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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1. Tara Devi, W/o Vijay Bhihari Kharwar @ Barak,
 2. Muni Devi W/o Guddu Kharwar,
 3. Rambha Devi W/o Bablu Kharwar,
 4. Durga Devi W/o Mohan Kharwar,
 5. Indu Devi W/o Ashok Singh @ Ashok Kharwar , All are R/o Village- Bishrampur, P.S.- Dinara (Bhanas), District- Rohtas at Sasaram.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Babu Nandan Prasad, Advocate.

For the Opposite Party : Mr. Satyavarat Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 148, 149, 272, 273, 224, 225, 353, 332 of the IPC, 30(a) (c) (d), 34(a), 37(c) and 45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 250 ML wine, 10 Kg. Mahua, 12 liters fragmented Mahua and 6 Kg. Urea is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 250 ML wine, 10 Kg. Mahua, 12 liters fragmented Mahua and 6 Kg. Urea is recovered from joint house of the petitioners. The name of the petitioners has come on the basis of alleged recovery made from 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. 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 or 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 the learned Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram, in connection with Dinara (Bhanas) P.S. Case No. 308 of 2017, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

