

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24086 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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1. Kanhaiya Ram, son of Sheonath Ram,
2. Manoj Ram, son of Baidyanath Ram @ Meghnath Ram, Both are
residents of Village+ Police Station- Mainatand, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered under Section(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 93 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 against the petitioners. The name of the
petitioners has transpired on the basis of disclosure made by the
co-accused namely, Vishwanath Manjhi. Except for this, there is



no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 93 liters wine is recovered from an open field. 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.

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, Bettiah, West Champaran in connection with Mainatand P.S. Case No. 01 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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