

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25821 of 2018

Arising Out of PS. Case No.-424 Year-2016 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Soni Jaiswal,
 2. Pannalal Jaiswal, Both sons of Ramanand Prasad Jaiswal @
Ramanand Prasad, Residents of Village- Madhubani Ghat, P.S.-
Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-05-2018 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, 279, 427, 414 of the I.P.C. and Section 30 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 266.820 liters wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has come on the disclosure of co-accused Gagandeo Raut. Except for this, there is no other substantive evidence to suggest the implication of the



petitioners in this case. It is alleged that 266.820 liters wine is recovered from the car. The car in question does not belong 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 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Mufassil P.S. case No.424 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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