

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25851 of 2018

Arising Out of PS.Case No. -16 Year- 2018 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pundeo Dhangar @ Punyadeo Dhangar, S/o Sukhal dhangar @ Sukhal Mahto,
 2. Surendra Dhangar, S/o Late Raj Banshi Dhangar, Both are R/o Vill.- Bhelwa Dhangar Toli, P.O. and P.S.- Ghorasahan, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pravin Kumar, Advocate.

For the Opposite Party : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 30-04-2018 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 Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 9 liters
wine 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 9 liters wine is recovered from the Brick kiln of one Nand Lal Rai. The name of the petitioner has come on the basis of disclosure made by local Chaukidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner 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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, Motihari, East Champaran, in connection with Ghorasahan P.S. Case No. 16 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)