

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67417 of 2018

Arising Out of PS. Case No.-277 Year-2018 Thana- RIVILGANJ District- Saran

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1. Madan Chaudhary, Son of Late Madhu Chaudhary
 2. Anil Chaudhary, Son of Late Ganesh Chaudhary
 3. Sonu Chaudhary @Sonu Kumar Chaudhary, Son of Late Motichand Chaudhary
 4. Brij Mohan Chaudhary, Son of Late Motichand Chaudhary, all are Resident of Village-Enai, Police Station-Revelganj, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2018 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 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 100 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 names of the petitioners have transpired as the alleged recovery is made from the bush situated at the back of the houses of the respective



petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 24, 15, 25 and 25 liters wine are recovered from the houses of the petitioners respectively situated at the back of the 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 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/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 Additional Sessions Judge -6th -cum- Special Judge, Excise, Saran in connection with Revilganj P.S. Case No. 277 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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