

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45984 of 2018

Arising Out of PS. Case No.-116 Year-2017 Thana- VIDYAPATINAGAR District-
Samastipur

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1. Soni Khatoon @ Soni Praveen, D/o Late Md. Jakeer,
 2. Md. Akatar @ Md. Akhatar S/o Late Md. Jakeer.
 3. Ruvee @ Rumi Praveen, D/o Late Md. Jakeer. All resident of
Mow Bazar, P.S.- Vidyapati Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2018 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 Sections 30(a), 35(a), 38(ii), 41(i), (ii) and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2.5 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 on the



basis of disclosure made by co-accused namely Jamila Khatoon. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 2.5 liters wine is recovered from the house of Jamila Khatoon. 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 6th Additional Sessions Judge, Samastipur in connection with Vidyapati Nagar P.S. Case No. 116/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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