

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47427 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- CHAKIA District- East Champaran

1. Rahul Kumar,
2. Rohit Kumar, Both sons of Late Ramnath Sah, Residents of Village- Chanakyapuri Ward No.7, P.S.- Chakiya, 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. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 30(a), 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is made from the shops of the petitioners belonging to the joint family. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 90 liters wine is recovered from the shops in question. 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 7th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran in connection with Chakia P.S. case No.128 of 2018, 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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