

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9448 of 2019

Arising Out of PS. Case No.-588 Year-2018 Thana- TURKAULIYA District- East
Champaran

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1. NARAD RAY S/o Shankar Ray
 2. Niraj Kumar Ray, S/o Shivdayal Ray
 3. Rajan Kumar Ray Mathura Ray
- All Resident of Village-Chilarao, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Mukhiya, Adv

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-02-2019 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, 273/34 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 200 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 name of the petitioners has transpired in this case as the recovery of liquor was made from the land situated by side of house of petitioner No. 1. Except for this, there is no other substantive evidence to suggest the



implication of the petitioners in this case. It is alleged that 200 liters wine is recovered from the land, situated by side of house of petitioner No. 1. 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 588 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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