

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69988 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- BASOPATTI District- Madhubani

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1. Manish Sah Son of Anil Sah @ Raudi Sah,
 2. Vijay Sah, Son of Singheshwar Sah,
 3. Laxmi Sah, Son of Kari Sah, All of Village- Janakinagar, P.S.- Basopatti, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr. Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-01-2019 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 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 480 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 come on the basis of disclosure made by the local Chaukidar as per F.I.R. Except for this, there is no other substantive evidence to suggest the



implication of the petitioner in this case. It is alleged that 480 liters wine is recovered from the orchard of Ramdayal Sah. 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 2nd Addl. District and Sessions Judge-cum-Special Judge, Excise Act, Madhubani in connection with Basopatti P.S. case No.196 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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