

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14002 of 2020

Arising Out of PS. Case No.-25 Year-2015 Thana- ATRI District- Gaya

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1. DHARMENDRA KUMAR @ KARU SINGH S/o Late Bachan Singh R/o village- Jethian, P.S.- Atri, District- Gaya
 2. Rajesh Kumar S/o Late Bachan Singh R/o village- Jethian, P.S.- Atri, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mrs.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-07-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 47(A) of the Excise Act.

The prosecution case, in short, is that 640 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 as the recovery is made from the joint house of the petitioners where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 640 liters wine is recovered from the joint 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.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Special Judge, Excise, Gaya in connection with Atari P.S. Case No. 25 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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