

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12607 of 2021

Arising Out of PS. Case No.-311 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. Vikaram Rai, aged about 35 years (Male), Son Of Shiv Shankar Raut, R/o village- Chain Pur, P.S.- Kalyan Pur, P.S.- Kalyan Pur, District- East Champaran.
 2. Vijay Rai, aged about 22 years (Male), S/o Shiv Shankar Raut, R/o village- Chain Pur, P.S.- Kalyan Pur, P.S.- Kalyan Pur, District- East Champaran.
 3. Sanjay Rai, aged about 33 years (Male), S/o Shiv Shankar Raut, R/o village- Chain Pur, P.S.- Kalyan Pur, P.S.- Kalyan Pur, District- East Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party	:	Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-12-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

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

The petitioners are apprehending their arrest in connection with Industrial Excise Case No. 311 of 2020 for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 35.720 liters wine is recovered from the hut situated in front of the



house of the petitioners.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 35.720 liters wine is recovered from the hut situated in front of the house of the petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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 of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd-cum-Special



Judge, Excise, East Champaran, Motihari, in connection with
Excise Case No. 311/2020, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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