

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38703 of 2021

Arising Out of PS. Case No.-42 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

1. PARWATI DEVI Wife of Manoj Bind Resident of Village - Balipur, P.S. - Kudra, District - Kaimur at Bhabua.
2. RAM JATAN BIND Son of Manoj Bind Resident of Village - Balipur, P.S. - Kudra, District - Kaimur at Bhabua.
3. SHYAM SUNDAR BIND Son of Shivjee Bind Resident of Village - Balipur, P.S. - Kudra, District - Kaimur at Bhabua.
4. AMRESH KUMAR Son of Late Kamta Bind Resident of Village - Chilbili, P.S. - Kudra, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of eight weeks.

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

The prosecution case, in short, is that 10 liters wine along with some utensils is recovered by the side of river.



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 names of the petitioners have transpired on the basis of disclosure made by local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 10 liters wine along with some utensils is recovered by the side of river. The petitioner No. 1 is a lady. 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, let the petitioners, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Kaimur at Bhabua/ADJ-II-cum- Special Judge, Excise Act, Kaimur at Bhabua in connection with Kudra P.S.



Case No. 42 of 2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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