

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43003 of 2021

Arising Out of PS. Case No.-291 Year-2021 Thana- SONEPUR District- Saran

1. UMESH RAI Son of Late Ambika Rai Resident of Village - Sabalpur Nawal Tola, P.S. - Sonapur, District - Saran at Chapra.
2. MONU RAI Son of Umesh Rai Resident of Village - Sabalpur Nawal Tola, P.S. - Sonapur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in Sonapur P.S. Case No. 291 of 2021 registered for the offence under Sections- 30(a), 38 & 41(1) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 336 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 them. They have been falsely implicated in the present case. It is alleged that 336 litres wine is



recovered from the pick up Van. The petitioner No. 2 is owner of the pick up Van in question. The petitioner No. 1 is father of petitioner No. 2. Petitioners had no knowledge regarding the nature of goods booked by the transporter. 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 of the case, 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Saran in connection with Sonapur P.S. Case No. 291 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

