

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33272 of 2020

Arising Out of PS. Case No.-212 Year-2020 Thana- PARWALPUR District- Nalanda

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1. Raju Ram @ Raju Kumar son of Late Dilip Ram resident of village and Police Station - Parwalpur, District- Nalanda.
 2. Joshi Ram son of Late Dundun Ram @ Late Tuntun Ram resident of village and Police Station - Parwalpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Heard learned counsel for the petitioners and learned
APP for the State.

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

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

The prosecution case, in short, is that 465.6 liters wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. 465.6 litres of wine is alleged to have been recovered from the house of co-accused. The names of the petitioners have



transpired in this case on the basis of disclosure made by the co-accused. 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 petitioner 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 eight 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-III-cum-Special Judge, Excise Act, Nalanda at Bihar Sharif in connection with Parwalpur P.S. Case No. 212 of 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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