

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35454 of 2020

Arising Out of PS. Case No.-189 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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1. Bali Singh, aged about 39 years, Male, S/o Late Sheo Shankar Bhagat, R/o Village- Rohara Kala @ Khurd, P.S.- Barharia, District- Siwan.
 2. Sunil Singh, aged about 45 years, Male, S/o Late Sheo Shankar Bhagat, R/o Village- Rohara Kala @ Khurd, P.S.- Barharia, District- Siwan.
 3. Arjun Singh, aged about 42 years, Male, S/o Late Sheo Shankar Bhagat, R/o Village- Rohara Kala @ Khurd, P.S.- Barharia, District- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Satyendra Rai, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-04-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 19 liters wine is said to have been recovered from the orchard in



question.

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 19 liters wine is recovered from the orchard in question. The orchard in question does not belong to 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./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 six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-2nd-cum-Special Judge, Excise, Siwan, in connection with



Excise Case No. C III 189/2020, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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