

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35446 of 2020

Arising Out of PS. Case No.-68 Year-2020 Thana- RAJEPUR District- East Champaran

1. Vijay Roy, (M), aged about 36 years, S/O Akindar Roy, Resident of Village - Machhuahan Math Tola, P.S. - Rajepur, District-East Champaran.
2. Devaki Kumar (M), aged about 28 years, Son of Ram Ekbal Roy, Resident of Village-Machhuahan Math Tola, P.S.- Rajepur, District-East Champaran.
3. Akhilesh Kumar @ Akhalesh Roy (M), aged about 42 years, Son of Late Pradip Roy, Resident of Village - Machhuahan Math Tola, P.S. - Rajepur, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Umesh Chandra Verma, 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 Sections 272, 273/34 of the I.P.C. and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 15 liters wine is said to have been recovered by the side of the road.

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 15 liters wine is recovered by the side of the road. 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 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 Special Judge, Excise Act, East Champaran at Motihari, in connection with Rajepur P.S. Case No. 68/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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