

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48143 of 2021

Arising Out of PS. Case No.-45 Year-2020 Thana- LAURIA District- West Champaran

1. HOSIL DOM @ HOSIL RAUT DOM Son of Late Babulal Dom Resident of Village - Pakari Dhangar Toli, Police station - Lauriya, District - West Champaran.
2. Marrai Dhangar Son of Late Indrashan Dhangar Resident of Village - Pakari Dhangar Toli, Police station - Lauriya, District - West Champaran.
3. Mahesh Dhangar Son of Late Bahadur Dhangar Resident of Village - Pakari Dhangar Toli, Police station - Lauriya, District - West Champaran.
4. Ambika Mahto @ Ambika Dhangar Son of Late Gaphur Dhangar Resident of Village - Pakari Dhangar Toli, Police station - Lauriya, District - West Champaran.
5. Amar Dhangar Son of Late Gulchand Dhangar Resident of Village - Pakari Dhangar Toli, Police station - Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-11-2021 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 Lauriya P.S. Case No. 45 of 2020 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 10.5 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 2.5 litres, 2.225 litres, 1.25 litres, 2.5 litres and 2 litres wine is from the joint houses of petitioner Nos. 1, 2, 3, 4 & 5 respectively. 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 Special Judge, Excise Act, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 45 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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