

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51531 of 2021**

Arising Out of PS. Case No.-259 Year-2021 Thana- BHORE District- Gopalganj

1. Bhola Chaudhary @ Bhola Yadav S/O Shrikishun Yadav R/O Village-Luhghi, P.S-Bhore, District-Gopalganj.
2. Guddu Chauhan S/O Mahesh Chauhan R/O Village-Lamichour, P.S-Bhore, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

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 connection with Bhore P.S. case No.259 of 2021 registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 42.200 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 falsely been implicated in this case. The names of the petitioners have transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 42.200 liters wine is recovered from the car. The petitioners are not the owners of the car in question. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge II-cum-Special Judge, Excise, Gopalganj in connection with Bhore P.S. case No.259 of 2021, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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