

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40818 of 2020

Arising Out of PS. Case No.-150 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Jamalu Mian, aged about 25 years, Male, Son of Rasul Mian, Resident of Village - Satwana, P.S.- Chainpur, District - Kaimur at Bhabua.
2. Munna Mian @ Munnu Mian @ Mannu Mian, aged about 23 years, Male, Son of Kamalu Mian, Resident of Village - Satwana, P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajani Kant Pandey, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2021 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 4.14 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 4.14 liters wine is recovered by the side of the road. 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 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 A.D.J.-V-cum-Special Judge, (Excise), Kaimur at Bhabua, in connection with Chainpur P.S. Case No. 150 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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