

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54781 of 2021

Arising Out of PS. Case No.-404 Year-2020 Thana- PATNA CITY CHOWK District- Patna

1. Chinta Devi (Female), aged about 65 years, Wife Of Late Mishraraj Ray, R/O Village- Kaimashikoh, Bans Bazar, P.S.- Chowk, District- Patna.
2. Manoj Ray (Male), aged about 40 years, Son Of Late Mishraraj Ray, R/O Village- Kaimashikoh, Bans Bazar, P.S.- Chowk, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party	:	Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

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

The petitioners are apprehending their arrest in connection with Special Case No. 7022 of 2020, arising out of Chowk P.S. Case No. 404 of 2020 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 55 liters



wine is recovered from the joint house of the petitioners.

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 55 liters wine is recovered from the joint house of the petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. The petitioner no. 1 is a lady. 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 twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna, in connection



with Special Case No. 7022 of 2020, arising out of Chowk P.S.
Case No. 404 of 2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

