

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54416 of 2021

Arising Out of PS. Case No.-310 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. RAJEEV KUMAR SAH @ RAJEEV KUMAR S/o Ramsogarath Sah R/o Village- Yogiamath, P.S.- Muffassil, Dsitric- Samastipur.
 2. Sanjeet Kumar S/o Ramsogarath Sah R/o Village- Yogiamath, P.S.- Muffassil, Dsitric- Samastipur.
 3. Rahul Kumar S/o Sanjeet Sah R/o Village- Yogiamath, P.S.- Muffassil, Dsitric- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aprajita
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-11-2021 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 a case registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 182.285 liters wine is recovered.

It has been submitted on behalf of the petitioners that the the petitioner has got no criminal antecedent. 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 182.285 litres wine is recovered from the car, the motorcycle and joint house of petitioner Nos. 1 & 2. The vehicles in question do not belong to the petitioners. 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Muffasil P.S. Case No. 310 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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