

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40767 of 2020

Arising Out of PS. Case No.-450 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

-
1. Manish Kumar, aged about 24 years, S/o Ashok Rai, R/o village- Ayodhya Bari, P.S.- Muffasil (Lakho), District- Begusarai.
 2. Nitish Kumar, aged about 28 years, S/o Ashok Rai, R/o village- Ayodhya Bari, P.S.- Muffasil (Lakho), District- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ram Sumiran Rai, 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 43.2 liters wine is said to have been recovered from the open field of co-accused Rajendra Saw.

It has been submitted by learned counsel for the



petitioners that the petitioner no. 1 has 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 43.2 liters wine is recovered from the open field of co-accused Rajendra Saw. 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 Additional Sessions Judge-IIInd-cum-Special Judge, Excise Act, Begusarai, in connection with Muffasil (Lakho) P.S. Case No. 450/2019 dated 27.08.2019



(G.R.No. 718/2019), subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

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

