

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58562 of 2021

Arising Out of PS. Case No.-22 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

1. VIKASH KUMAR @ GHATKU KUMAR Son of Parichhan Yadav Resident of Village - Sringar, P.s.- Sahebpur Kamal, Distt.- Begusarai.
2. Suman Kumar @ Mannu Yadav Son of Bulo Yadav Resident of Village - Sringar, P.s.- Sahebpur Kamal, Distt.- Begusarai.
3. Pappu Kumar @ Pappu Yadav Son of Dashrath Prasad Yadav @ Dashrath Yadav Resident of Village - Sringar, P.s.- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2021 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 connection with Sahebpur Kamal P.S. Case No. 22 of 2021 registered for the offence under Sections-272, 273 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 24 liters wine is recovered.

It has been submitted on behalf of the petitioners that the 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 24 litres wine is recovered by side of the river. The names of the petitioners have transpired in this case on the basis of disclosure made by local residents. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present 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/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 Special Judge, Excise Act, Begusarai in connection with Sahebpur Kamal P.S. Case No. 22 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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