

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4050 of 2021

Arising Out of PS. Case No.-379 Year-2020 Thana- CIVIL LINE District- Gaya

1. SAJID KHAN @ LADDAN Son of Md. Sadique Hussain Khan @ Sadique Khan Resident of Mohalla-Enayat Colony, Bari Road, P.S.-Civil Lines, District-Gaya.
2. Faizal Khan Son of Md. Sadique Hussain Khan @ Sadique Khan Resident of Mohalla-Enayat Colony, Bari Road, P.S.-Civil Lines, District-Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 47/37(2) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that co-accused were found sitting in drunken state in the Restaurant of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. There is no



recovery of liquor from the restaurant, which is owned by the petitioners. The customers were sitting in the restaurant of the petitioners and from the mouth of customers smell of liquor was coming and for the said reason the petitioners have been made accused 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.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court, Gaya in connection with Civil Lines P.S. case No.379 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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