

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65412 of 2021

Arising Out of PS. Case No.-301 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

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1. MAKU RAM @ MAKKU RAM @ MANGAL RAM Son of Dashrath Ram
Resident of Village- Ismailpur, P.S.- Buxar (Mufassil), District- Buxar.
 2. Md. Akbar Ansari Son of Yunus Ansari Resident of Village- Ismailpur, P.S.-
Buxar (Mufassil), District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-12-2021 Heard learned counsel for the petitioners and 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 eight
weeks.

The petitioners are apprehending their arrest in connection
with Buxar (Mufassil) P.S. Case No. 310 of 2021 registered for the
offence under Section-30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

The prosecution case, in short, is that 25 liters Beer is
recovered.

It has been submitted on behalf of the petitioners that there
is no allegation of tampering of witnesses alleged against the
petitioners. The petitioners have been falsely implicated in the
present case. It is alleged that 25 litres Beer is recovered from the co-
accused. The name of the petitioner has transpired in this case on the



basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner 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/- (Rupees 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, Buxar in connection with Buxar (Mufassil) P.S. Case No. 301 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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