

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66336 of 2021

Arising Out of PS. Case No.-170 Year-2021 Thana- SATHI District- West Champaran

1. MST. SRIMATI DEVI Wife of Late Chiranji Mukhiya Resident of Village - Basantpur, P.S.- Sathi, District - West Champaran.
2. Hakim Mukhiya Son of Late Badari Mukhiya Resident of Village - Basantpur, P.S.- Sathi, District - West Champaran.
3. Sikandar Mukhiya Son of Late Bhutti Mukhiya Resident of Village - Basantpur, P.S.- Sathi, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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 Sathi P.S. Case No. 170 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 20 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 out of 20 litres, 6 litres wine is recovered from joint house of petitioner No. 1, 10 litres wine is recovered from joint house of petitioner No. 2 and 4 litres wine is recovered from joint house of petitioner No. 3. The petitioner No. 1 is a lady. 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, Bettiah, West Champaran in connection with Sathi P.S. Case No. 170 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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