

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11114 of 2022

Arising Out of PS. Case No.-24 Year-2022 Thana- OBRA District- Aurangabad

1. RAUSHAN KUMAR, aged about 21 years, Gender-Male, son of Pramod Singh, Resident of Village - Ukurmi, P.S. - Obra, District - Aurangabad.
2. NIKHIL KUMAR, aged about 19 years, Gender-Male, Son of Pramod Singh, Resident of Village - Ukurmi, P.S. - Obra, District - Aurangabad.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bhaskar Shankar, Advocate
For the Opposite Party : Mr. Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 Heard learned counsel for the petitioners and learned counsel for the State through Virtual mode.

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

The petitioners are apprehending their arrest in connection with Obra P.S. Case No. 24/2022 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 440.835 liters wine is recovered from the open field.

It has been submitted by learned counsel for the



petitioners that the petitioners have 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 440.835 liters wine is recovered from the open field. The names of the petitioners have transpired in the present case on the basis of disclosure made by local residents. The names of the local residents, who have named the petitioners, have not been disclosed by the prosecution. 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/ Complaint Case.

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 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 the learned Additional Sessions Judge-IX-cum-Special Judge,
Excise, IInd, Aurangabad, in connection with Obra P.S. Case
No. 24/2022, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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