

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11568 of 2022

Arising Out of PS. Case No.-277 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

-
1. Rajesh Prasad Son Of Late Khalifa Prasad Resident Of Village- Dihiya, P.S.-
G.B. Nagar, District- Siwan
 2. Shrawan Prasad Son Of Jay Ram Prasad Resident Of Village- Dihiya, P.S.-
G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-03-2022 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 four
weeks.

The petitioners are apprehending their arrest in connection
with G. B.Nagr P.S. Case No. 277 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 20 litres wine is



recovered from an open field. 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Court No. 1, Siwan in connection with G. B.Nagr P.S. Case No. 277 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

