

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11325 of 2022**

Arising Out of PS. Case No.-489 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

1. ASHOK SINGH Son of Ashok Singh Resident of Village - Salempur, P.s.- Chandi, Distt.- Bhojpur.
2. Ranjeet Singh Son of Sudarshan Singh Resident of Village - Salempur, P.s.- Chandi, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mrs.Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 11-03-2022 Heard learned counsel for the petitioners and learned APP
for the State through virtual mode.

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 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 liters wine is recovered.

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. The petitioners have falsely been implicated in this case. The names of



the petitioners have transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 90 liters wine is recovered from the bank of the river. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, 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) with two sureties of the like amount each to the satisfaction of learned IVth Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara in connection with Udawantnagar P.S. case No.489 of 2021, 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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