

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13064 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- PAUTHU District- Aurangabad

1. DILIP KUMAR @ DILIP YADAV Son of Indradeo Singh Resident of Village- Birua, P.O.- Luka, P.S.- Pauthu, District- Aurangabad.
2. Pawan Kumar Son of Jagdev Singh Resident of Village- Birua, P.O.- Luka, P.S.- Pauthu, District- Aurangabad.
3. Ranjit Kumar Son of Ajay Singh Resident of Village- Barahi Bazar, P.S.- Pauthu, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Chandra Bhaskar, Advocate
For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-03-2022 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 79.500 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. It is alleged that 79.500 liters wine is recovered from the open field belonging to the joint family of petitioner No.2. 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 Additional District and Sessions Judge IX-cum-Special Judge II (Excise), Aurangabad in connection with Pauthu P.S. case No.05/2022, 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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