

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16956 of 2022

Arising Out of PS. Case No.-349 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Kunal Kumar Son Of Ranjan Singh Resident Of Village- Bari Aghu, Ward No. 41, Police Station- Muffasil, District- Begusarai
 2. Vishal Kumar @ Vishal Kumar Rai Son Of Ranjan Singh Resident Of Village- Bari Aghu, Ward No. 41, Police Station- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate
For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-04-2022 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 111.060 liters wine
is recovered.

It has been submitted on behalf of the petitioners that
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 as the



alleged recovery is made from the joint house of the petitioners where the other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 111.060 liters wine is recovered from the joint house of the petitioners. 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 Exclusive Excise Judge-1, Begusarai in connection with Muffasil P.S. case No.349 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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