

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1009 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- JURAWANPUR District- Vaishali

1. AKHILESH RAI @ AKHLESH RAI Son of Shyam Babu Rai @ Chirai Rai R/v- Raghapur East Ward No. 07, P.S.- Jurawanpur, District- Vaishali
2. CHETAN RAI Son of Ayadhi Rai @ Ayodhya Rai R/v- Raghapur East Ward No. 07, P.S.- Jurawanpur, District- Vaishali
3. SHARWAN RAI @ SHARWAN KUMAR Son of Dilip Rai R/v- Raghapur East Ward No. 07, P.S.- Jurawanpur, District- Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Ranjit Kumar Thakur, Advocate
For the Opposite Party	:	Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section-30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that 160 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 the petitioners. The name of the petitioners has transpired in the present 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 this case. It is alleged that 160 liters wine is recovered from Bathans of the co-accused. 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, 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 Exclusive Special Excise Court No. 2-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Jurawanpur P.S. Case No. 127 of 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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