

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57214 of 2017

Arising Out of PS.Case No. -458 Year- 2017 Thana -SONEPUR District- SARAN

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1. Shambhu Nath Singh @ Bablu Singh, S/o Ramsresth Singh, R/o Village- Harpur, Belwa, P.S.- Mahua, District- Vaishali.
2. Gopi Kumar Singh S/o Late Suvansh Singh, R/o Village- Samashpura, P.S.- Mahua, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case instituted under Sections 188, 420, 272, 273, 120(B) of the Indian Penal Code and 30(a), 38, 41 and 47 of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 2961 liters of wine is said to have been recovered from a truck.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 27.10.2017. The charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 2961



liters of wine is recovered from a truck in question. The said truck does not belong to the petitioners. As the petitioners were passing by the truck at the alleged time of occurrence, they were apprehended in a suspicion that the petitioners were also involved in the alleged incident. The petitioners had no knowledge regarding the goods being carried on the truck. Nothing incriminating has been recovered from the conscious possession of the petitioners. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge, Saran at Chapra, in connection with Sonapur P.S. Case No. 458/2017.

(Sudhir Singh, J)

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