

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6898 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -KUTUMBA District- AURANGABAD

- =====
1. Vikash Kumar Singh @ Vikash Kumar
 2. Ramjee Singh @ Babuwaji, both sons of Late Chhedi Singh, Resident of village- Lavari, P.S. Kutumba, Distt.- Aurangabad

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Onkar Kumar, Advocate.

For the Opposite Party/s : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Kutumba P.S. Case No. 115 of 2016 for the offences instituted under Sections 30(a) and 38(2) of Bihar Prohibition and Excise Act, 2016.

It is alleged that 3.600 liters of country made liquor is said to have been recovered from the joint possession of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case due to mistake of fact. There is no allegation of tampering of witnesses alleged against the petitioners. As per allegation, 3.600



liters of country made liquor is said to have been recovered from the 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 anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Kutumba P.S. Case No. 115 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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