

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.59592 of 2017**

Arising Out of PS. Case No.-143 Year-2017 Thana- GURUA District- Gaya

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1. Chhotu Singh, Son of- Naresh Singh.
  2. Raju Singh, Son of- Vinod Singh. Both resident of Village- Nagwan, Tola- Gobar Bigha, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. RAM NARESH RAY

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      13-12-2017              Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 80 liters wine is recovered from the paddy field.

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 petitioner has come on the basis of disclosure of co-accused Funni Yadav made before police as per F.I.R. Except for this, there is no other substantive evidence to



suggest the implication of the petitioner in this case. It is alleged that 80 liters wine is recovered from the paddy field. 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 six 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 Special Judge Excise, Gaya in connection with Gurua P.S. case No.143 of 2017, 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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