

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61051 of 2017

Arising Out of PS. Case No.-135 Year-2017 Thana- NAWADA MUFFASIL District- Nawada

1. Gopal Kumar son of Sheo Nandan Singh
2. Vikash Kumar son of Ravindra Singh
3. Arbind Singh son of Deo Nandan Singh, all R/o village Kendua, P.S. Mufassil, Dist. Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. RAJENDRA PRASAD NAT

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The prosecution case, in short, is that 1780 liters wine is recovered.

It has been submitted on behalf of the petitioner 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 come on the basis of confessional statement of co-accused Manoj Singh made before police as per F.I.R. Except for this, there is no other substantive



evidence to suggest the implication of the petitioners in this case. It is alleged that 1780 liters wine is recovered from the paddy field in abandoned stage behind the Law College, Nawada. 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 A.D.J. II-cum-Special Judge, Nawada in connection with Mufassil P.S. case No.135 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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