

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57984 of 2017

Arising Out of PS.Case No. -182 Year- 2017 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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- 1. Ajit Singh Son of Jay Singh
 - 2. Rakesh Singh Son of Yogendra Singh
 - 3. Rohit Singh Son of Yogendra Singh
 - 4. Munna Singh Son of Yogendra Singh All residents of village - Daroga Bigha, P.S. - Deep Nagar, District - Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Premchandra Yadav, Advocate.

For the Opposite Party : Mr. Vinod Shankar Modi, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

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

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 270, 272, 273, 290 of the
IPC, 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 40 liters wine
is said to have been recovered.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioners. It is alleged that 40 liters wine is recovered



from Bholi Singh and Mahesh Singh. The name of the petitioners has come on the basis of confessional statement of co-accused made before police as per F.I.R. 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 or 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 the learned Additional Sessions Judge VI-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Deep Nagar P.S. Case No. 182 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

