

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58517 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. Aman Rai, S/o Dewendra Rai,
2. Aman Singh S/o Late Dina Nath Singh, Both are R/o village- Sher, P.S.-
Sidhwalia, District- Gopalganj.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

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

The prosecution story, in brief, is that 6.33 litres of
wine is said to have been recovered.

It has been submitted on behalf of the petitioners that
there is no allegation of tampering of witnesses alleged against
the petitioners. The name of the petitioners has come on the basis
of secret information as per the F.I.R. The source and genuineness
of the secret information has not been disclosed by the
prosecution. Except for this, there is no other substantive



evidence to suggest the implication of the petitioners in this case. It is alleged that 6.33 litres of wine is recovered from the Maruti car. 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 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 arrest or surrender before the learned court below within a period of six weeks from today in connection with Sidhwalia P.S. Case No. 103/2017 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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