

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55459 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Rana Pratap, S/O Santoshi Prasad.
 2. Subhash Kumar, S/O Ram Chandra Saw.
 3. Jananjay Kumar @ Janmjay Kumar, S/O Santoshi Prasad.
 4. Pramod Kumar Chaudhary @ Pramod Chaudhary, S/O Bharat Chaudhary. All are residents of Village-Pali, P.S. Kawakola, District-Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sheo Kumar Prasad, Advocate.
For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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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
for the offence registered under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 184 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
except petitioner no. 1. There is no allegation of tampering with
the 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. 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) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-IIInd-cum-Special Judge, Nawada, in connection with Kawakola P.S. Case No. 04 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)

