

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59134 of 2017

Arising Out of PS. Case No.-142 Year-2017 Thana- RAGHUNATHPUR District- Siwan

1. Bablu Patel,
2. Rajan Patel @ Rajan Kumar Patel Both Sons of Mahesh Patel @ Mahesh Kurmi, R/o Village- Murarpatti, Raghunathpur, P.S.- Raghunathpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. SUNIL KUMAR PANDEY

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, 308 of the I.P.C. and Sections 30, 38, 41 of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 77 liters wine is recovered.

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 petitioners has come on the basis of confessional statements of co-accused 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 77 liters wine is recovered from co-accused Amit Kumar Singh and Radhe Shyam Singh. Nothing incriminating has been recovered from the conscious possession of these 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 2nd Additional Sessions Judge-cum-Special Judge, Siwan in connection with Raghunathpur P.S. case No.142 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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