IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58466 of 2017

Arising Out of PS.Case No. -146 Year- 2017 Thana -AMNAUR District- SARAN

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1. Santosh Singh,
2. Murari Singh, Both are sons of Singeshwar Singh, Resident of Village- Dholarahi Kaithal, P.S.- Amour, Distt- Saran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Mukesh Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar

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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 188, 272, 273, 420, 120(B) of the Indian Penal Code and 30(a), 38, 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 1973.52 litres of liquor is said to have been 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 confession of co-accused as per F.I.R. Except for this, there is no

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other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 1973.52 litres of liquor is recovered in abandoned stage. 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 of the 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 Amnour P.S. Case No.146 of 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 A.D.J.-6/Special Judge (Excise), Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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