

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61410 of 2017

Arising Out of PS. Case No.-348 Year-2017 Thana- SUGAULI District- East Champaran

1. Sunni Kumar
2. Bittu Kumar both sons of Baccha Prasad @ Baccha Babu @ Chau Prasad,
both residents of Mai Sthan, Sugauli, police station Sugauli, District East
Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. RAMCHANDRA SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

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

Allegation is that 81 liters Nepali wine is recovered from
the Maruti car.

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
secret information as per 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 81 liters Nepali 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 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 Special Judge, Excise, East Champaran, Motihari in connection with Sugauli P.S. case No.348 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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