

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60084 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -DAUDPUR District- SARAN

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1. RATNESH KUMAR SINGH @ PAPPU SINGH@PAPPU
2. Dinesh Kumar Singh@ Gappu Singh @ Gappu Both are Sons of Kedar Singh Both are resident of Village- Jhakra, Police Station - Manjhi, District- Saran at Chapra.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case instituted under Sections 120(B)/201/34 of the Indian Penal Code and 30 of Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 1585 litres of wine is said to have been recovered from a container in question.

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 statement 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 1585 litres of wine is recovered from a container in question, which does not belong to the petitioners. 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 Daudpur P.S. Case No. 139/2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge, 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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