

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40962 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- JALALPUR District- Saran

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1. Sharma Singh, S/o Hari Narayan Singh, R/o Vill.- Usti, P.s.- Baniyarpur, District- Saran at Chapra.
 2. Raj Kumar Mahto S/o Ram Nath Mahto, R/o Vill.- Mirazpur, P.S.- Baniyapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2018 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.

The prosecution case, in short, is that 34.500 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the poultry farm in question belongs to the joint family of the petitioners. Except for this, there is no other substantive



evidence to suggest the implication of the petitioners in this case. It is alleged that 34.500 liters wine is recovered from the poultry farm belonging to the joint family of 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 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) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge, Saran at Chapra in connection with Jalalpur P.S. case No.88 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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