

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42267 of 2018

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1. Vicky Kumar Singh, Son of Pramod Singh,
2. Pramod Kumar Singh @ Pramod Singh, Son of Late Keshev Narayan Singh, Both are resident of Village- Phatikbara, Police Station- Mahnar, District- Vaishali.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 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 983.64 liters wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses against the petitioners. The name of the petitioners has transpired on the basis of disclosure made by the co-accused namely, Dhiraj Kumar Singh and Neeraj Kumar Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioners



in this case. It is alleged that total 983.64 liters wine is recovered, out of which, 576 litres wine is recovered from a vehicle whereas 467.64 litres wine is recovered from a godown. Neither the car nor the godown 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 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, Vaishali at Hajipur in connection with Mahanar P.S. Case No. 90 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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