

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49944 of 2018

Arising Out of PS.Case No. -46 Year- 2018 Thana -JADOPUR District- GOPALGANJ

- =====
1. Anu Shane, S/o Keshar Shane, R/o Vill.- Harpur, P.S.- Gopalganj Town, District- Gopalganj.
 2. Pintu Sah S/o Prabha Sah @ Parma Sah, R/o Vill.- Mehadeya Naharpar, P.S.- Yadopur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272 & 273 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 181.440 liters wine is recovered.

It has been submitted on behalf of the petitioners 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 181.440 liters wine is recovered from the canal, situated at the back of house 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) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Gopalganj in connection with Yadopur P.S. Case No. 46 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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