

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73118 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- SONNAGAR RAIL P.S. District- Gaya

1. Ranjan Kumar, S/O Late Mahendra Yadav.
2. Chandan Kumar, S/O Late Mahendra Yadav.
3. Kundan Kumar, S/O Late Mahendra Yadav. All R/V- Bagaha, P.S. Barun, District-Aurangabad.
4. Sonu Kumar, S/O Sri Narendra Yadav.
5. Rabindra Kumar, S/O Sri Rajendra Yadav. Petitioner nos. 4 and 5 are R/V- Tendua Haibat, P.S. Narari Kala, District-Aurangabad.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending his arrest in a case for the offence registered under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and 174 of the Railway Act.

The prosecution story, in brief, is that total 18 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 18 liters wine is recovered from the Railway Platform in question. The name of the petitioners has come on the basis of disclosure made by the villager railway passengers. The name of the said passengers, who have named the petitioners, 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. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned Special Judge, Excise, Gaya, in connection with Son Nagar Rail P.S. Case No. 47 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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