

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74894 of 2018

Arising Out of PS. Case No.-405 Year-2018 Thana- RAMPUR District- Gaya

1. Md. Firdaus, S/o Md. Naim,
2. Nipu @ Arbind Prasad @ Arbind @ Arun Prasad @ Arjun Prasad, S/o
Rajesh Prasad Gupta,
Both residents of Mohalla-Gewalbigha Akhada, P.S.
Rampur, District-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 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 122 liters wine is recovered.

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 transpired in this case on the basis of disclosure made by the local residents. The name of the local residents, 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. It is alleged that 122 liters wine is recovered from an open field. 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 Special Excise Judge, Gaya in connection with Rampur P.S. Case No. 405 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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