

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15169 of 2018

Arising Out of PS.Case No. -582 Year- 2017 Thana -CHAPRA TOWN District- SARAN

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1. Sanjay Rai, Son of Dela Rai @ Ram Sakal Rai,
 2. Manoj Rai, Son of Shivajee Rai,
 3. Sunil Rai, Son of Satya Narayan Rai,
 4. Chandan Rai, Son of Nooni Rai, All are resident of Mohalla- Telpa Chandani Chauk, P.S.- Chapra Town, District- Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arvind Kumar, Advocate.

For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

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

The prosecution story, in brief, is that total 70 liters wine and 200 Kg. *Gurd* 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 70 liters wine and 200 Kg. *Gurd* is recovered from the *Thela* and motorcycle in



question. The name of the petitioners has come on the basis of secret information as per F.I.R. The source and genuineness of 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. 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 6th Additional Sessions Judge, Saran at Chapra, in connection with Chapra Nagar P.S. Case No. 582/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)