

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6462 of 2018

Arising Out of PS.Case No. -387 Year- 2017 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

- =====
1. Veermay Kumar,
 2. Raju Kumar, Both sons of Arun Kumar, Resident of Nalanda colony,
P.S. Laheri District Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Pankaj Kumar, Advocate.

For the Opposite Party : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 06-04-2018 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 Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 224.250
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioners that the petitioners have falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioners. It is alleged that total
224.250 liters wine is recovered from barren field. 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 District & Sessions Judge-cum-Special Judge, Excise, Nalanda at Bihar Sharif, in connection with Laheri P.S. Case No. 387 of 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)