

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16194 of 2018

Arising Out of PS.Case No. -256 Year- 2017 Thana -EKMA District- SARAN

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1. Krishna Pratap Singh,
2. Rabi Kumar Singh @ Ravi Shankar Singh, Both Sons of Late Ram Kishan Singh, Residents of Village- Ekari, P.S.- Ekma, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Vilochan Tiwary

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-03-2018 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 417.6 litre wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired on the basis of disclosure made by the local residents. The name of 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 417.6 liters wine is recovered from poultry farm of one Jay Prakash Singh. The Poultry Farm in question does not belong to 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 Special Excise Court, A.D.J.-VI, Saran at Chapra in connection with Ekma P.S. Case No. 256 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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