

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8459 of 2018

Arising Out of PS. Case No.-775 Year-2017 Thana- NATHNAGAR District- Bhagalpur

1. Bijay Singh @ Bijay Kumar Mandal, son of late Chhedi Mandal.
2. Pankaj Mandal,
3. Bikram Kumar @ Bikram Mandal
4. Randhir Kumar @ Randhir Mandal @ Suraj Mandal
All three are sons of Bijay Singh @ Bijay Kumar Mandal
All four are resident of village Digghi, P.S.- Madhusudanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. ANIL PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-02-2018 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 9.375 liters english 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 names of the petitioners have transpired as the alleged recovery is made from the orchard of the petitioners.



Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 9.375 liters english wine is recovered from the mango orchard in question. 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 Additional District and Sessions Judge-IV-cum-Special Court, Excise, Bhagalpur in connection with Nath Nagar (Madhusudanpur) P.S. Case No. 775 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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