

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4679 of 2018

Arising Out of PS.Case No. -252 Year- 2017 Thana -WARSALIGANJ District- NAWADA

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1. Chhotelal @ Abhishek Ranjan, Son of Shyama Dhin Singh,
 2. Sanjay Kumar alias Sanjay Singh alias Pinku Singh, Son of Upendra Singh, Both resident of Village Mafi P.S. Warisaliganj, District-Nawadah.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2018 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 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 70 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has got no criminal antecedent and petitioner no. 2 has got criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 70 liters wine is recovered from the residential house of doctor situated by the side of Referral Hospital. The name of the petitioners has come on the basis of



disclosure made by the local residents as per the F.I.R. 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. 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 Additional District Judge-II-cum-Special Judge, Nawada, in connection with Warisaliganj P.S. Case No. 252 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)

