

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7829 of 2018

Arising Out of PS. Case No.-242 Year-2017 Thana- DARIYAPUR District- Saran

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1. Birendra Ray Son of Nathuni Ray
 2. Bhushan Ray Son of Jawahar Ray
 3. Manohar Singh @ Manohar Kumar Singh, son of Jagendra Singh
All Residents of Village-Turki Tola, Khajuhata, Police Station-
Dariyapur, District-Saran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. MD. ASHLAM ANSARI

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30/30A of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 40 liters 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 name of the petitioners has transpired on the basis of disclosure made by the local residents. The name of local residents who have named the petitioner, 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 40 liters wine is recovered from the bank of river Gandak in an abandoned state. 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 A.D.J.-VI-cum-Special Judge, Excise Act, Saran at Chapra in connection with, Dariyapur P.S. Case No. 242 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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