

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6933 of 2018

Arising Out of PS. Case No.-417 Year-2017 Thana- BELAGANJ District- Gaya

1. Birju Rajak, son of Budhu Rajak
2. Nand Rajak, son of Akal Rajak
3. Suresh Rajak, son of Balam Rajak.
4. Miki Das @ Mirki Das, son of Bali Das
All are resident of village Girdhari Bigha, P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar
For the Opposite Party/s : Mr. AJAY KUMAR JHA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-02-2018 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 20 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 came on the basis of secret information as per F.I.R. The source and genuineness of



the 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. It is alleged that 20 liters wine is recovered by the side of the hills 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 Special Excise Judge, Gaya in connection with Belaganj P.S. Case No. 417 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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