

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23566 of 2018

Arising Out of PS. Case No.-932 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

1. Deshraj Singh, S/o Shankar Singh,
2. Kamakhya Narain Singh @ Bhuar @ Kamakhya Narain S/o Rajendra Singh, Both are R/o Village- Vazirganj, P.S.- Sasaram (Muffasil), District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-04-2018 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 95 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has come on the disclosure of co-accused Dileep Kumar Singh. Except for this, there is no other substantive evidence to suggest the implication



of the petitioners in this case. It is alleged that 95 liters wine is recovered from the car. The car in question does not belong to the petitioner. 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 Addl. Sessions Judge II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. case No.932 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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