

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29455 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Saharsa

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1. Sunil Kumar, S/o Duryodhan Yadav, R/o Vill. Balahpatti, P.S. Bangaon, Dist.- Saharsa.
 2. Sujit Yadav @ Sujit Kumar, S/o Umesh Yadav, R/o Vill. Balha Ward No. 06, P.S.- Bangaon, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-05-2018 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 7.500 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 petitioner No.2 has come on the disclosure of co-accused Suman Kumar. So far the petitioner No.1 is concerned, the alleged motorcycle belongs to him. The said motorcycle was given by him to the co-villager for personal use. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 7.500 liters wine is recovered from the side of the road. 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 complaint cse.

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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd-cum-Special Judge, Excise, Saharsa in connection with Special case No.156 of 2018, 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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