

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27234 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- SAHEBPUR KAMAL District- Begusarai

1. Moni Singh @ Prabhakar Singh Son of Ram Sevak Singh @ Nago Singh
2. Ram Sevak Singh @ Nago Singh Son of Dhauki Singh Both residents of Village - Sihma, Police Station - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Shanker Prasad

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 420, 467, 474, 279, 304A, 304, 120B of the I.P.C. and Sections 30(a), 32, 27, 41(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 146.640 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner No.2 has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired on the disclosure made by co-accused Baudhu Kumar. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 146.640 liters wine is recovered from the car. The car in question does not belong to the petitioners. 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Bihar Prohibition and Excise Act, 2016, Begusarai in connection with Sahebpur Kamal P.S. case No.18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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