

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31605 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- ALAMNAGAR District- Madhepura

1. Pradeep Singh Son of Gore Lal Singh
2. Pramod Singh @ Pramod Kumar Singh Son of Gaina Prasad Singh Both residents of Village- Alam Nagar, P.S. Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 19-06-2018 Learned counsel for the petitioners is permitted to make necessary correction in paragraph 3 of the application in the light of supplementary affidavit filed in course of the day.

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 5.625 liters wine is recovered.

It has been submitted on behalf of the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired on the basis of disclosure made by co-accused



namely Sintu Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 5.625 liters wine is recovered from Sintu Kumar. 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./complaint case.

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.-1-cum- Special Judge, Excise Act, Madhepura in connection with Alam Nagar P.S. Case No. 83 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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