

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63533 of 2017

Arising Out of PS. Case No.-165 Year-2017 Thana- JANDAHA District- Vaishali

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1. Santosh Singh @ Santosh Kumar, S/o Ramakant Singh,
 2. Bipul Sudhanshu @ Vipul Kumar S/o Santosh Singh @ Santosh Kumar, Both R/o Village- Mukundpur Bharth, P.S.- Jandaha, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Singh

For the Opposite Party/s : Mr. SATYADEV PRASAD SINGH YADAV

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.2.

Permission is accorded.

The application filed on behalf of petitioner No.2 is dismissed as withdrawn.

Heard learned counsel for the petitioner No.1 and learned APP for the State.

The petitioner No.1 is apprehending his arrest in a case registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 985.400 liters wine and



beer are recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 985.400 liters wine and beer are recovered from the house of co-accused Brajit Pratap Singh. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.1, 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 Addl. Sessions Judge II-cum-Special Judge Excise, Hajipur in connection with Jandaha P.S. case No.165 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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