

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62911 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

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1. Karnal Singh @ Karnal Kumar @ Karnal Kumar Singh, S/o Laddu Singh,
 2. Amol Singh @ Amol Kumar Singh S/o Late Rameshwar Singh,
 3. Ashish Kumar Singh @ Chhotu Singh @ Ashish Kumar S/o Pappal Singh, All are R/o Village- Khurhan, P.S.- Alamnagar, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Bhaskar Shankar, Advocate.

For the Opposite Party : Mr. Ashwani Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 3.42 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that 3.42 liters wine is recovered from the house of co-accused Shakti Singh. The name of the petitioners has come on the basis of



confessional statement of co-accused made before police as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 60280 of 2017.

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 or 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 the learned Additional Sessions Judge-III-cum-Special Judge, Excise Act, Madhepura, in connection with Alamnagar P.S. Case No. 122 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)