

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39387 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- TAJPUR District- Samastipur

-
1. Rakesh Kumar, Son of Manjay Lal Singh,
 2. Sonou Kumar, Son of Amar Kumar Singh, Both are resident of Village- Motipur, P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 25.5 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 names of the petitioners have transpired on the basis of disclosure made by co-accused namely Manjay Lal Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is



alleged that 25.5 liters wine is recovered from the field situated by the side of the house of 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./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 Additional Sessions Judge-VI-cum- Special Judge, Excise, Samastipur in connection with Tajpur P.S. Case No. 147 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

