

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3030 of 2018

Arising Out of PS. Case No.-159 Year-2017 Thana- RUPAULI District- Purnia

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1. Akhilesh Mahto, Son of Bhola Pd. Mahto,
 2. Niraj Kumar Mandal @ Niraj Kumar, Son of Kamli Mandal,
Both resident of Village- Lalganj, P.S.- Rupouli (Mohanpur),
District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. UMESH LAL VERMA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-01-2018 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, 420 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 85.800 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 name of the petitioners has transpired on the disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the



petitioners in this case. It is alleged that 85.800 liters wine is recovered from the car in question. 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) each with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge-cum-Spl. Excise Judge, Purnea in connection with Rupouli (Mohanpur) P.S. case No.159 of 2017 corresponding to Spl. Excise case No.1963 of 2017, 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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