

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50172 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- NOKHA District- Rohtas

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1. Sanoj @ Saroj Chaudhary son of Suvriv Chaudhari
 2. Sanjay Chaudhary @ Sanjay Chaudhary son of Suraj Chaudhary
- Both residents of Village - Dudhar Chaudhary Tola, Police Station - Nokha, District - Rohtas at Sasaram. At present both are residents of Village - Chaudhary Tola, Majrarh, Mujrarh, Police Station - Nokha, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh
For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 544.5 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 come on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 544.5 liters wine is recovered from the Bolero vehicle in question. The Bolero vehicle in question does not belong to the petitioner. 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 District & Sessions Judge -II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Nokha P.S. Case No. 131 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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