

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72057 of 2018

Arising Out of PS. Case No.-254 Year-2018 Thana- NAVINAGAR District- Aurangabad

-
1. Lawkush Kumar Son of Arvind Singh.
 2. Vicky Kumar @ Bicky Kumar Son of Krishna Singh.
 3. Rahul Kumar Son of Ganesh Paswan. All are Resident of Village- Gurdi, P.S. Nabinagar, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Sri Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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

The prosecution case, in short, is that 360 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner no. 3 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 the co-accused namely Roushan Kumar. Except for this, there is no other substantive evidence



to suggest the implication of the petitioners in this case. It is alleged that 360 liters wine is recovered from the car in question. The car 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 Special Judge, Excise, Aurangabad (Bihar) in connection with Nabinagar P.S. Case No. 254/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

