

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.67681 of 2018**

Arising Out of PS.Case No. -137 Year- 2018 Thana -PANAPUR District- SARAN

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1. Haider Ali @ Hawaldar Miyan S/o Late Jamadar Miyan  
2. Hasnara Begum @ Asnara Khatoon, W/o Haider Ali @ Hawaldar  
Miyan Both Resident of Village- Panapur Bazar Turki, P.S.- Panapur,  
District- Saran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Smt Sangeeta Sharma

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      19-11-2018      Heard learned counsel for the petitioners and learned APP for  
the State.

The petitioners are apprehending their arrest in a case  
registered under Sections-30, 30(a), 38 & 41 of the Bihar  
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 70 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 as the alleged recovery is  
said to have been made from joint house of the petitioners where



other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 70 liters wine is recovered from joint 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.

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 6<sup>th</sup> Additional District Judge, Saran at Chapra in connection with Panapur P.S. Case No. 137 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V./-

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