

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64534 of 2018

Arising Out of PS. Case No.-222 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. Pappu Singh, S/o Awadh Bihari Singh, Resident of Village- Bahadur, P.S. Mohammadpur, District- Gopalganj.
2. Dilip Singh, S/o Rameshwar Das @ Rameshwar Singh, Resident of Village- Shankarpur, P.S. Baikunthpur, District- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Harendra Prasad, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in case for the offence registered under Sections 420, 379/34 of the IPC, 30(a), 41(i)(ii) of Bihar Prohibition & Excise Act, 2016.

The prosecution story, in brief, is that total 630 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 630 liters wine is recovered from the Truck in question. The Truck in question does not belong to the petitioners. The name of



the petitioners has come in the present case on the basis of disclosure made by co-accused Ramesh Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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 has been 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 or 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 the learned Additional Sessions Judge-II-cum-Special Judge (Excise Act), Gopalganj, in connection with Baikunthpur P.S. Case No. 222 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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