

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6379 of 2018

Arising Out of PS.Case No. -328 Year- 2017 Thana -BARHARA District- BHOJPUR

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1. Chhotu Singh @ Chhotu Kumar Singh @ Chhotu Kumar.
2. Amit Kumar @ Amit Kumar Singh Both are Son of Late Gajendra Singh,
Resident of Village-Keshopur, P.S. Barhara, District-Bhojpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 120(B) of the Indian Penal Code and Section-30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 60 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 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 60 liters wine is recovered by the side of house of one, Ram Ayodhya Bind. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 A.D.J.-IV, Bhojpur, Ara in connection with Excise Case No. 5647 of 2017 arising out of Barhara P.S. Case No. 328 of 2017, 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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