

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36 of 2018

Arising Out of PS. Case No.-211 Year-2017 Thana- KAUAKOL District- Nawada

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1. Ajay Kumar son of Bhola Prasad, resident of village - Teliyagarhi, Post - Lalpur, P.S. Kowakol, Dist - Nawada, Pin - 805106.
 2. Pintu Kumar son of Ram Prasad Mahto resident of village - Mahndar, Post - Lalpur, P.S. Kowakol, Dist - Nawada, Pin - 805106.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh

For the Opposite Party/s : Mr. SANJAY KUMAR PANDEY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 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.

Prosecution case, in short, is that total 106 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 come on the basis of disclosure made by the co-accused as per F.I.R. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that total 106 liters wine is recovered. 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 Additional. Sessions Judge II-cum-Special Judge, Nawada in connection with Kawokol P.S. case No.211 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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