

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43627 of 2018**

Arising Out of PS. Case No.-189 Year-2018 Thana- KONCH District- Gaya

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1. Sanoj Kumar @ Manjhila S/o Rampravesh Yadav
  2. Sikendra Yadav S/o Rajendra Yadav Both resident of village - Dabur Tola Chiraiyan Bigha.
  3. Ramesh Das S/o Yogendra Das resident of village - Bathani Tola Azad Bigha, All of three P.S. - Konch, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinod Kumar  
For the Opposite Party/s : Smt. Anita Kumari

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

2      20-07-2018                      Heard learned counsel for the petitioners and learned APP  
for the State.

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

The prosecution case, in short, is that 150 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 petitioner No.1 has transpired in the present case as the tempo in question belongs to him. The name of petitioner Nos.2 and 3 has come on the disclosure of co-accused Umesh Yadav. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 150 liters wine is recovered from the tempo. The tempo in question is run by the driver of petitioner No.1. 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) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Konch P.S. case No.189 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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