

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49929 of 2018

Arising Out of PS.Case No. -131 Year- 2017 Thana -HASANPUR District- SAMASTIPUR

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1. Jivan Kumar @ Jivan Singh, S/o Rajaram Singh,
2. Nanhi Singh S/o Late Jay Jay Ram Singh, Both are R/o Vill.- Hasanpur,
P.S.- Hasanpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 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), 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 36 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired on the basis of disclosure made by the local Chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case.



It is alleged that 36 liters wine is recovered from the poultry farm. The Poultry Farm in question does not belong to 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 2nd Additional District Judge, Samastipur in connection with Hasanpur P.S. Case No. 131 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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