

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59129 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- DAWATH District- Rohtas

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1. Rampukar Singh, Son of Wakeel Singh,
 2. Deepak Kumar, Son of Ram Pukar Singh, Both are the resident of Village- Bodhyatar, Police Station- Dawath, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s : Smt. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 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), 35, 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 368.880 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is made from the half constructed room by the side of the poultry farm belonging to the joint family of the



petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 368.880 liters wine is recovered from the half constructed room in question. 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 2nd Addl. District and Sessions Judge-cum-Spl. Judge, Excise, Rohtas at Sasaram in connection with Dawath P.S. case No.103 of 2018, 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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