

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8125 of 2018

Arising Out of PS. Case No.-140 Year-2017 Thana- RAGHUNATHPUR District- Siwan

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1. Ranjan Singh, s/o- Ashok Kumar Singh, R/o- village- Nikheti Kalan, P.s.-
Raghunathpur, District- Siwan
2. Chandan Kushwaha, s/o- Birbal Kushwaha, R/o-village- Nikheti Kalan,
P.s.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. ATAUR RAHMAN

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273, 308 of the Indian Penal Code and Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 360 liters country made liquor 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 transpired on the basis of disclosure made by the local residents. The name of local residents, who have named the petitioners, 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 360 liters wine is recovered from the Scorpio vehicle. The vehicle 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 Additional Sessions Judge-II, Siwan in connection with Raghunathpur P.S. Case No. 140 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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