

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41506 of 2018

Arising Out of PS. Case No.-101 Year-2018 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Prabhakar Singh @ Mauni Singh, S/o Ram Sewak Singh @ Nago Singh, R/o Vill.- Sihma, P.S.- Matihari , District- Begusarai.
 2. Pappu Singh @ Pappu Yadav S/o Ram Yadav,
 3. Ram Pravesh Yadav, S/o Late Punit Yadav, Both R/o Vill.- Sihma, Patla Tol, P.S.- Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 420, 467, 468, 414, 120(B)/34 of the Indian Penal Code and Sections 30(a), 32, 27 and 41(1) of Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4208.4 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner nos. 2 and 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners have come on the basis of secret information as per F.I.R. The source and genuineness of the secret



information 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 4208.4 liters wine is recovered from the truck in question. The truck 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./complaint case.

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, Begusarai in connection with Sahebpur Kamal P.S. Case No. 101 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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