

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42685 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- RAJGIR District- Nalanda

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1. Prince Kumar, Son of Jitendra Singh, Resident of Mohalla- Ramnagar, P.S.- Nawada, District- Nawada.
 2. Amit Kumar Sinha, Son of Baban Kumar Sinha @ Baban Prasad Sinha, Resident of Mohalla- Garh Par, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 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), 38(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 391 liters wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioners has come on the disclosure of co-accused Sonu Kumar and Manish Kumar. Except for this, there is no other substantive evidence to suggest



the implication of the petitioners in this case. It is alleged that 391 liters wine is recovered from the car. The car 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) with two sureties of the like amount each to the satisfaction of learned Sixth Additional District & Sessions Judge-cum-Special Judge, Excise, Nalanda, Bihar Sharif in connection with Rajgir P.S. case No.187 of 2017, 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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