

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72126 of 2018

Arising Out of PS. Case No.-230 Year-2018 Thana- MADANPUR District- Aurangabad

1. Rakesh Kumar Singh, son of Krishna Singh
2. Sandip Singh, son of Sachchidanand Singh
All residents of village Ishapur, P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 630 liters spirit 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 names of the petitioners have transpired on the basis of disclosure made by the co-accused namely Rahul Paswan. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is



alleged that 630 liters spirit is recovered from the van in question and a pond situated by the side of the temple. The van 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 -VII-cum- Special Judge, Excise, Aurangabad in connection with Madanpur P.S. Case No. 230/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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