

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77217 of 2018

Arising Out of PS. Case No.-258 Year-2018 Thana- TARAIYA District- Saran

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1. Sokaan Turha @ Satendra Sah, S/o Hiranman Turha, resident of Village- Bagahi Harakhpura, P.S.- Taraiya, District- Saran at Chapra.
 2. Raj Kumar Singh, S/o Harihar Singh, Resident of Village Bagahi Harakhpura, P.S.- Taraiya, District Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Basant Kumar Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 188 of the I.P.C. and Sections 30(a)/30/38/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 108.315 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 petitioners. The name of the petitioners has come on the basis of disclosure made by the local residents as per F.I.R. 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 108.315 liters wine is recovered from the field belonging to one Prem Narayan Singh. 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 Special Judge, Saran at Chapra in connection with Tariaya P.S. case No.258 of 2018, 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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