

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.654 of 2018

Arising Out of PS.Case No. -142 Year- 2017 Thana -PIPRAHI District- SHEOHAR

- =====
1. Pappu Pandit, Son of Ramprit Pandit, resident of Village- Buniyadganj, P.S.- Piprahi, District- Sheohar.
 2. Rameshwar Mahto @ RamIshar Mahto, Son of Late Bilash Mahto, resident of Village- Harpur, P.S. Piprahi, District- Sheohar.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 2 09-01-2018 Heard learned counsel for the petitioners and learned counsel for the State.

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

The prosecution story, in brief, is that 8.460 litres of liquor is said to have been recovered from co-accused Rupal Rai.

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 come on the basis of confessional statement of co-accused, before police, as per F.I.R.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 8.460 litres of wine is recovered from co-accused Rupal Rai. 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 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Piprahi P.S. case No.142/2017, on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Sheohar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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