

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45916 of 2018

Arising Out of PS. Case No.-472 Year-2017 Thana- FATUHA District- Patna

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1. Bablu Kumar S/o Budhu Singh
 2. Bhushan Kumar S/o Jamuna Singh
 3. Bhola Kumar S/o Sundar Singh All residents of village - Abdalpur, P.S. Fatwah, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad

For the Opposite Party/s : Mr. Sri Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-08-2018 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 40 liters wine 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 seizure list witnesses namely Nitish Kumar and Naulesh Singh. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 40 liters wine is recovered from two different places. 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 Special Judge, Excise, Patna in connection with Fatwah P.S. Case No. 472 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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