

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41713 of 2018**

Arising Out of PS. Case No.-34 Year-2018 Thana- HILSA District- Nalanda

- 
1. Sanjay Prasad son of Chandeshwar Prasad
  2. Om Prakash son of Gorakh Prasad Both residents of village - Bhat Bigha, Police Station - Hilsa, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

---

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-07-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

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

The prosecution case, in short, is that 360 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 as he was seen standing by the side of the place of occurrence. Except for this, there is no other substantive evidence to suggest the



implication of the petitioners in this case. It is alleged that 360 liters wine is recovered from a premises belonging to Harkhit Prasad. 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 Vith Additional Sessions Judge -cum- Special Judge, Excise, Nalanda in connection with Hilsa Police Station Case No. 34 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

