

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21188 of 2018

Arising Out of PS. Case No.-409 Year-2017 Thana- BAKHTIYARPUR District- Patna

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1. Chintu Rai @ Chintu Kumar, Son of Ram Babu Rai.
 2. Pinku Rai @ Pintu Kumar, Son of Bechan Rai.
 3. Manchush Rai, Son of Latr Janak Rai,
 4. Mantu Rai @ Mantu Kumar, Son of Dasai Rai, All are resident of Village Nayatola Raghapur P.S.- Bakhatiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 307, 353, 225 of the I.P.C. and Sections 30(A)/38/45 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5 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 name of the petitioners has come on the basis of



secret information as per F.I.R. The source and genuineness of the secret information 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. The petitioners are alleged to have protested on the arrest of co-accused of the present case. It is alleged that 5 liters wine is recovered from the open field. 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. Other co-accused has been granted anticipatory bail vide Cr.Misc.No.19359 of 2018.

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, Excise, Patna in connection with Special case No.6484 of 2017 arising out of Bakhatiyarpur P.S. case No.409 of 2017, 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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