

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21181 of 2018

Arising Out of PS. Case No.-192 Year-2017 Thana- NOKHA District- Rohtas

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1. Vishwanath Paswan, Son of Satya Narayan Paswan @ Satya Narayan Ram,
 2. Buchun Paswan, Son of Satya Narayan Paswan @ Satya Narayan Ram, Both are the Resident of village & Post- Baraon, Police Station- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s : Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners seeks permission to
withdraw the application with respect to petitioner no. 2.

The application is dismissed as withdrawn so far
petitioner no. 2 is concerned.

The petitioner no. 1 is apprehending his arrest in a
case registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 9 liters wine is
recovered.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by the local residents. The name of local residents, who have named the petitioner, has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 9 liters wine is recovered from the open field. The open field in question does not belong to the petitioner. 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 petitioner no. 1 is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner no. 1, 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 Additional District & Sessions Judge-II-cum- Special



Judge, Excise, Rohtas at Sasaram in connection with Nokha P.S.
Case No. 192 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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