

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53226 of 2018

Arising Out of PS. Case No.-260 Year-2018 Thana- WARISLIGANJ District- Nawada

1. Sonu Kumar @ Budhu Son of Late Randhir Singh Resident of Village : Ghostama, P.S. Silao, District : Nalanda, presently residing at Village : Kochgaon (Nati of Siya Singh) P.S. Warsaliganj, District : Nawada, Now permanently residing at Village : Kochgaon, P.S. Warsaliganj, District Nawada.
2. Amit Kumar Son of Jitendra Singh
3. Chhotu Kumar @ Chhote Kumar Son of Uma Kant Singh
4. Karu Kumar Son of Late Arun Singh
5. Sonu Kumar Son of late Arun Singh Sl. No. 2 to 5 all residents of Village : Kochgaon, P.S. Warsaliganj, District : Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh
For the Opposite Party/s : Mr. Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 420 of the I.P.C. and Sections 30(a), 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2993.940 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. It is alleged that 2993.940 liters wine is recovered from the truck. The truck in question does not belong to the petitioners. 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.

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 Additional District Judge II-cum-Special Judge (Excise Act), Nawada in



connection with Warisaliganj P.S. case No.260 of 2018, 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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