

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54466 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- BARAUNI District- Begusarai

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1. Bimal Kumar S/o late Lakho Singh
 2. Murari Kumar S/o Niraj Singh R/o Vill- Bihat, Zero Mile-
Gurudaspur Chaudhary Ghar, P.S.-Barauni, Distt. Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Section 188 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 750 ml 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 come on the disclosure of co-accused Tufan Singh. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case.



It is alleged that 750 ml wine is recovered from co-accused Tufan Singh. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 Addl. Sessions Judge II-cum-Special Judge, Begusarai in connection with Barauni (Zero Mile) P.S. case No.278 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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