

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72417 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- ISLAMPUR District- Nalanda

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1. Ramesh Kumar @ Sunil Kumar
 2. Mukesh Kumar &
 3. Antu Kumar

All sons of Arvind Prasad, Residents of Village-Rupaspur, P.S. Khudaganj,
District-Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Dilip Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2018 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 64.500 liters wine is recovered.

It has been submitted on behalf of the petitioners that petitioner Nos. 2 & 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired in this case on the basis of secret information. 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 petitioner in this case. It is alleged that 64.500 liters wine is recovered from the car, in question. The car, in question does not belong to the petitioner. 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 Additional Sessions Judge-VI-cum-Special Judge, Excise, Nalanda at Bihar Sharif in connection with Islampur P.S. Case No. 235 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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