

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30194 of 2018

Arising Out of PS. Case No.-160 Year-2018 Thana- SHERGHATI District- Gaya

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1. Pappu Kumar Singh Son of Lal Bahdur Singh Resident of Village- Kharundha, P.S. Navi Nagar, District- Aurangabad.
 2. Abhishek Kumar Son of Binod Singh Resident of Village- Lakhanpur, P.S. Navi Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 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 320 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as both the cars in question belong to the petitioners. The said cars are run as taxi by the drivers of the petitioners. Except for this, there



is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 320 liters wine is recovered from both the cars in question. 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 Special Judge (Excise), Gaya in connection with Sherghaty P.S. case No.160 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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