

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44962 of 2018**

Arising Out of PS. Case No.-127 Year-2018 Thana- MANJHI District- Saran

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1. Hare Ram Sah @ Bangali @ Hare Ram Sah Bangali, S/o Shri Kishun Sah,
  2. Amit Singh @ Amit Kumar Singh, S/o Badan Singh, Both R/o Vill.- Tajpur, P.S.- Manjhi Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     25-07-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30, 30A and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 289.500 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 disclosure made by the local Chaukidar as per F.I.R. Except for this, there is no other substantive evidence to suggest the



implication of the petitioners in this case. It is alleged that 289.500 liters wine is recovered from the side of the canal of the village. 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 A.D.J. 6<sup>th</sup>, Saran at Chapra in connection with Manjhi P.S. case No.127 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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