

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72664 of 2018

Arising Out of PS. Case No.-292 Year-2018 Thana- GORAUL District- Vaishali

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1. Ranjeet Kumar S/o Kaushal Kishore Singh,
 2. Kaushal Kishore Singh S/o Late Dani Singh, Both R/o Village- Rasulpur Korigaon,
 3. Manish Kumar S/o Anil Ray, Resident of Village- Mohammadpur Pojha,
 4. Rahul Kumar S/o Jagdish Ray, Resident of Village- Rukmanjari, All P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha
For the Opposite Party/s : Mr. Smt Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1738 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 petitioner no. 2 has transpired on the basis of seized vehicle. The petitioner no. 2 is said to be the



owner of the vehicle in question. The same is run as taxi by the driver of the petitioner. The petitioner no. 1 has been made accused as he happens to be son of petitioner no. 2. As far as petitioner nos. 3 and 4 are concerned, their names have transpired merely 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 1738 liters wine is recovered from three different places i.e. from the pick up van, from the canal and from the house of one Anand Kumar. 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./complaint case.

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) each with two sureties of



the like amount each to the satisfaction of learned Additional Sessions Judge -III-cum- Special Judge, Vaishali at Hajipur in connection with Goraul P.S. Case No. 292 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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