

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18304 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -SAKATPUR District- DARBHANGA

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1. Sunil Kumar Singh @ Sunil Singh @ Dablu, Son of Gopal Singh,
Resident of Village- Pokharbhinda,
2. Dev Kant Singh @ Deva @ Dev Singh, Son of Ram Prasad Singh,
Resident of Village- Kaithbar, Both Resident under P.S.- Sakatpur, District-
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 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 70.9 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 has transpired on the basis of disclosure
made by the co-accused namely, Prabhat Kumar, Rohit Saday and



Jagannath Sahani. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 70.8 liters wine is recovered from Pick up Van and motorcycle 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) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Darbhanga in connection with G.O. Case No. 34 of 2018 arising out of Sakatpur P.S. Case No. 06 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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