

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22842 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- KOPA District- Saran

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1. Vikash Kumar Singh, Son of Late Pachendra Singh,
 2. Sandip Kumar Singh,
 3. Mandip Kumar Singh, both are sons of Lalan Singh, all are resident of Village- Samahuta, Police Station- Kopa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Rajeev Nayan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 and 308 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that about 190 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 names of the petitioners have transpired on the basis of disclosure made by the co-accuseds namely Mahanth



Rai and Ranjit Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that about 190 liters wine is recovered from two different places. 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 6th Additional Sessions Judge-cum- Special Judge, Excise, Saran in connection with Kopa P.S. Case No. 09/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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