

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29877 of 2018**

Arising Out of PS. Case No.-44 Year-2018 Thana- KALYANPUR District- Samastipur

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1. Indradeov Prasad Singh @ Indal @ Indradevo Kumar Singh @ Indradev Prasad Singh @ Indradev Kumar Singh Son of late Brijmohan Singh
  2. Raj Narayan Singh @ Jangal @ Raj Narayan Kumar Son of late Brijmohan Singh both are resident of Village- Phoolwariya Ladaura, Police Station- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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

2      14-05-2018                      Heard learned counsel for the petitioners and learned APP  
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Sections 38, 47, 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 450 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner No.2 has 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 residents as per F.I.R. The name of local residents, who have named the petitioners, has not been disclosed by the prosecution.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 450 liters wine is recovered from the brick kiln. The said brick kiln does not belong to the petitioners. 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 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. case No.44 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

**(Sudhir Singh, J)**

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