

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46744 of 2018

Arising Out of PS.Case No. -48 Year- 2018 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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1. Munna Kumar Son of Shital Singh Resident of Village- Muradpur,
Bangra, P.S. N.H. Bangra, Distt. Samastipur.
2. Amrendra Kumar Son of Ramashray Thakur
3. Nandu @ Nand Kishore Son of Ajay Pandit @ Ajay Kumar Both
Resident of Village- Diggha, P.S. Baligaon, Distt. Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-08-2018 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 & 273/34 and Sections-38, 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 2202 liters wine is
recovered.

It has been submitted on behalf of the petitioners that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioners. The name
of the petitioners has transpired on the basis of disclosure made by
co-accused namely, Nirmal Singh and Md. Raunak. Except for
this, there is no other substantive evidence to suggest the



implication of the petitioners in this case. It is alleged that 2202 liters wine is recovered from a Pick up Van in question. The Pick up Van in question 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) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, Excise Act, Samastipur in connection with N.H. Bangara P.S. Case No. 48 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

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