

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70244 of 2018

Arising Out of PS. Case No.-93 Year-2018 Thana- SINGHIYA District- Samastipur

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1. Manish Kumar @ Manish Kumar Singh @ Manish Singh,
 2. Chhotu Singh, Both Sons of Ashok Singh @ Ashok Kumar,
Resident of Village+Post- Sumbha- P.S.- Singhiya, Distt-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma
For the Opposite Party/s : Smt. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Sections 30(a), 38(i)(ii), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 610 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 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 petitioners in this case. It is alleged that 610 liters wine is recovered from the back of the house of 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 6th A.D.J.-cum-Special Judge Excise, Samastipur in connection with Singhiya P.S. case No.93 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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