

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20344 of 2018

Arising Out of PS. Case No.-12 Year-2018 Thana- PANAPUR District- Saran

1. Rakesh Paswan son of Shiv Nath Paswan
2. Pappu Paswan son of late Pare Paswan, both residents of village Bhorha Basbari, P.S. Panapur, District Saran
3. Ashok Singh son of Rajendra Singh, resident of village Uthwa Sarangpur, P.S. Panapur, District Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Sanjana
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30/30A/38/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 120 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 Chaukidar as per F.I.R. Except for



this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 120 liters wine is recovered from the bank of the river in abandoned state. 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 Additional District & Sessions Judge VI, Saran at Chapra in connection with Panapur P.S. case No.12 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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