

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 31535 of 2018

Arising Out of PS. Case No.-111 Year-2018 Thana- Wazirganj District- Gaya

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1. Buttu Singh,
 2. Ramesh Singh Both are Sons of Sakaldeo Singh,
 3. Karu Singh @ Karu Kumar S/o Ramesh Singh,
- All are R/o Vill.- Aeroo, P.S.- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh
For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 26-06-2018 Heard Sri Nagendra Kumar Singh, learned counsel
for the petitioners and Mr. Md. Arif, learned Addl. Public
Prosecutor.

Three petitioners, apprehending their arrest in
Wazirganj P.S. Case No. 111 of 2018 registered for offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016, have prayed for grant of bail in the event of their arrest or
surrender.

Learned counsel for the petitioners submits that all the
petitioners were never earlier made accused for offence under
the Excise Act, however, petitioner no. 2 (Ramesh Singh) was
made accused in a case relating to offence under Section 307 of
the Indian Penal Code. By way of referring to F.I.R., it has been
argued that in this case from an open *khalihan* of the petitioners,



recovery of about 71 litres of Indian made foreign liquor was shown, however, petitioners were not at all aware regarding such concealment. It has been argued that due to village politics, petitioners might have been implicated by some of the enemies by way of putting such materials without knowledge of the petitioners.

Considering the nature of accusation as well as fact that petitioners were never made accused earlier relating to Excise Act, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let all the aforesaid three petitioners namely 1. Buttu Singh 2. Ramesh Singh and 3. Karu Singh @ Karu Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection with Wazirganj P.S. Case No. 111 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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