

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57537 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -RAJPUR District- SASARAM (ROHTAS)

=====

1. Bhola Sah, S/o Jag Narayan Sah,
2. Vikash Kumar @ Vikash Sah S/o Suresh Sah,
3. Dilip Kumar @ Dilip Sah S/o Late Doma Sah, All are R/o Vill. + P.S.-
Rajpur Sonari, Muhalla- Ward No. 3, District- Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners are apprehending their arrest in a case
registered under Section-30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 26.700 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 transpired as the alleged recovery is
said to have been made from joint house of the petitioners where



other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 26.700 liters wine is recovered from joint 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) each with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Rajpur P.S. Case No. 19 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

