

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53436 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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1. Mukesh Kumar, S/o Suresh Sah,
2. Chandan Kumar @ Chandan, S/o Harendra Sah, Both R/o Village-
Jirwara, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 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 Bihar Excise Amendment Act, 2016.

The prosecution case, in short, is that 180 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 abandoned hut is alleged to be of the petitioners. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 180 liters wine is recovered from the abandoned hut in question. 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 Sessions Judge-II, Vaishali at Hajipur in connection with C 2A 91 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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