

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66742 of 2018

Arising Out of PS. Case No.-557 Year-2018 Thana- ARA NAWADA District- Bhojpur

1. Sani Kumar @ Sonu Kumar,
2. Santosh Thakur, Both Son of Rambachan Chaudhary, resident of Village- Bakari, P.S.- Udwant Nagar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 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 56.56 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 names of the petitioners have transpired as the recovery is made from the abandoned shop belonging to the joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 56.56



liters wine is recovered from the abandoned shop belonging to joint family of the petitioner. 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./complaint case.

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 IVth Addl. District Judge-cum- Special Judge, Excise Act, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 557 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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