

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29862 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- MAHUA District- Vaishali

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1. Mritunjay Singh, Son of Late Ram Nath Singh,
 2. Abhishek Choudhary, Son of Gajendra Choudhary,
 3. Dayanand Singh, Son of Late Kapildeo Singh, all above are resident of Village- Mahua Singh Rai, P.S.- Mahua, District- Vaishali.
 4. Vijay Rai, Son of Dipan Rai, Resident of Village- Taraura, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-05-2018 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 1499.400 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 come on the basis of disclosure made by the local residents as per F.I.R. The name of local residents, who have named the petitioners, has not been disclosed by the prosecution. Except for



this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 1499.400 liters wine is recovered from the open field belonging to one Sitaram Singh. 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) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Vaishali in connection with Mahua P.S. case No.70 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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