

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42813 of 2018

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1. Dilip Kumar Singh @ Dilip Singh, Son of Late Balveer Singh,
2. Rahul Kumar Singh, Son of Dilip Kumar Singh @ Dilip Singh, All
resident of Village- Rajput Tola, Ward No. 5, Chakela Banmankhi, Police
Station- Banmankhi, District- Purnia.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered under Sections-272 & 273 of the Indian Penal Code and
Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 86 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 on the basis of disclosure
made by seizure list witnesses. Except for this, there is no other
substantive evidence to suggest the implication of the petitioners



in this case. It is alleged that 252 liters wine is recovered from a hotel in question. The hotel in question does not belong to 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 learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Purnea in connection with Banmankhi P.S. Case No. 77 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

A.K.V./-

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