

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71643 of 2018

Arising Out of PS. Case No.-230 Year-2018 Thana- MADANPUR District- Aurangabad

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1. Badhat @ Raja, Son of Sri Shayam Sundar Choudhary,
 2. Sonu Kumar, Son of Sri Kallu Choudhary,
 3. Tuntun Singh @ Tuntun, Son of Sachchidanand Singh, All resident of Village- Ishapur, P.S.- Madanpur, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2018 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 630 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 disclosure of co-accused Rahul Paswan. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 630 liters wine is recovered from the pick up van and from the side



of the temple. The pick up van 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Judge (Excise), Aurangabad in connection with Madanpur P.S. case No.230 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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