

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74594 of 2018

Arising Out of PS. Case No.-181 Year-2018 Thana- WARISLIGANJ District- Nawada

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1. Rahul Kumar S/o Shailendra Singh
 2. Sonu Kumar @ Sonal Kumar S/o Uma Singh Both R/o Vill-Mafi,P.S. Warsaliganj,Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 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 1985 liters wine is recovered.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired in this case on the basis of secret information. The source and genuineness of the secret information 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 1985 liters wine is recovered by the side of the temple. 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-cum-Special Judge, Nawada in connection with C.I.S. No. 608 of 2018 arising out of Warsaliganj P.S. Case No. 181 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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