

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45301 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- BARBIGHA District- Sheikhpura

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1. Purshottam Singh @ Purshottam Kumar,
 2. Rustam Singh @ Rustam Kumar, Both Sons of Arun Singh,
 3. Gautam Singh @ Bhera, Son of Shyam Singh, All resident of Village- Khoja Gachhi, Police Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-07-2018 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, 188/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1026 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 come on the basis of secret information as per F.I.R. 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 1026 liters wine is recovered from the Panchayat Bhawan. 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.

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 1st Additional District and Sessions Judge, Sheikhpura in connection with Excise case No.164 of 2018 arising out of Barbigha P.S. case No.187 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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