

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24505 of 2021

Arising Out of PS. Case No.-20 Year-2020 Thana- ATHMALGOLA District- Patna

1. Doman Singh @ Raj Kishore Singh @ Raj Kishore, aged about 34 years, Gender-Male, son of Arun Singh @ Arun Kumar, Resident of village- Jamalpur, P.S- Athmalgola, Dist- Patna.
2. Kanhai Singh, aged about 32 years, Gender-Male, son of Arun Singh @ Arun Kumar, Resident of village- Jamalpur, P.S- Athmalgola, Dist- Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Jay Ram Prasad, Advocate.
For the Opposite Party	:	Mr. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2021 Heard learned counsel for the petitioners and learned counsel for the State through virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 1057.200 liters wine is said to have been recovered from the bush in abandoned state.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the



petitioners. It is alleged that total 1057.200 liters wine is recovered from the bush in abandoned state. The names of the petitioners have transpired in the present case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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 Case.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned Special Judge, Excise, Patna, in connection with Special Case No. 808/2020 (arising out of Athmalgola P.S. Case No. 20/2020), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only



each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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