

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20225 of 2020

Arising Out of PS. Case No.-1472 Year-2019 Thana- NAWADA District- Nawada

1. UAGESH KUMAR @ UAGESH KUMAR JHA Son of Bipin Jha @ Vidha Shankar Jha Resident of Mohalla-I.T.I. Gonawan, P.S.-Nawada, District-Nawada.
2. Bajo Kumar Singh Son of Mantan Singh Resident of Village-Kumbhi, P.S.-Warisaliganj, District-Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sheo Kumar Prasad
For the Opposite Party/s	:	Mr.Gauri Shankar Gupta,APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 03-03-2021 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 30 liters wine is recovered from the car in question.

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 names of the petitioners have transpired in the present case on the basis of disclosure made by the co-accused.



Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 30 liters wine is recovered from the car in question. 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 A.D.J.-II-cum- Special Judge, Nawada in connection with Nawada (Kadirganj) P.S. Case No. 1472/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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