

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17743 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- BIKRAMGANJ District- Rohtas

1. SATYA NARAYAN SINGH Son of Late Ramayan Singh Resident of Village- Sikariya, P.S.- Bikramganj, District- Rohtas.
2. Rohit Singh @ Rohit Ranjan Son of Satya Narayan Singh Resident of Village- Sikariya, P.S.- Bikramganj, District- Rohtas.
3. Ravi Singh @ Ravi Ranjan Son of Satya Narayan Singh Resident of Village- Sikariya, P.S.- Bikramganj, District- Rohtas.
4. Jagnarayan Singh Son of Late Ramayan Singh Resident of Village- Sikariya, P.S.- Bikramganj, District- Rohtas.
5. Rakesh Singh @ Rakesh Kumar Son of Jagnarayan Singh Resident of Village- Sikariya, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

At the very outset, learned counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 5 as during pendency of this application, the petitioner No. 5 has been taken into judicial custody.

Permission is granted.

Accordingly, this application with regard to petitioner No. 5 only is dismissed as withdrawn.



The petitioner Nos. 1 to 4 are apprehending their arrest in a case registered under Section-30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 121.32 liters wine is recovered.

It has been submitted on behalf of the petitioner Nos. 1 to 4 that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. It is alleged that 121.32 liters wine is recovered from the bamboo clamp. The bamboo clamp in question does not belong to the petitioners. Merely on the basis of suspicion, names of the petitioners have transpired 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 petitioner Nos. 1 to 4 are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner Nos. 1 to 4, 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, Excise Act, Sasaram, Rohtas in connection with Bikramganj P.S. Case No. 03 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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