

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26062 of 2016**

Arising Out of PS.Case No. -71 Year- 2016 Thana -RAJAULI District- NAWADA  
=====

1. Subodh Yadav S/o Kuldip Yadav  
2. Pramod Yadav S/o Kuldip Yadav Both Resident of Mohkama ,PS Rajauli District Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj  
For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL**  
**ORAL ORDER**

2      15-07-2016                      Heard the Counsel for the petitioners and Mr. M. Dayal,  
  
APP for the State.

One day prior to imposition of complete ban on sale, consumption, manufacture of country made liquor, the Police raided the *badhar* of the petitioners wherefrom it is alleged that these petitioners escaped. Two drums of *mahua* wine was found in the field. The informant suspected that petitioners were involved in manufacture and sale of country made liquor.

Contention of the petitioners is that indisputably the petitioners were not found at the place of occurrence. On the basis of some statement, the informant has suspected the hands of the petitioners in the storage of *mahua* wine in the open field. Petitioners have no criminal antecedent. In that view of the matter, they are the first offenders for which there is lesser punishment

under the then existing law.

Considering the facts and circumstances of the case, I direct In the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rajauli, Nawada in Rajauli P.S. Case No. 71 of 2016 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

**(Kishore Kumar Mandal, J)**

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