

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58624 of 2017

Arising Out of PS.Case No. -221 Year- 2017 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Guddu Yadav @ Alok Yadav, S/o Ram Ekbal Yadav, R/o Village-
Ramsiriya, P.S.- Halahi, District- East Champaran.
2. Bhola Yadav S/o Nagina Yadav, R/o Village- Chatiya Tula Bhagat Math,
P.S.- Malahi, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 272, 273 of the Indian Penal Code and
30(a), 33, 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 07 litres of liquor
is said to have been recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The name
of the petitioner has come on the basis of disclosure made by the
villagers as per the F.I.R. The name of the villagers who have



named the petitioner has not been disclosed by the prosecution. It is alleged that 7 litres of liquor is recovered from the open field of Dharmendra Manjhi. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Govindganj (Malahi) P.S. Case No.221 of 2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge (Excise), East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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