

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59359 of 2017

Arising Out of PS. Case No.-132 Year-2017 Thana- MAJHAHGARH District- Gopalganj

1. Subash Yadav,
2. Dharmendra Kumar Yadav @ Dharmendra Yadav, Both are sons of Ramnath Yadav @ Chirkut Yadav, Resident of Village- Koeni Bazar, P.S.- Majhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. KALYAN SHANKAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 420, 272, 273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4 liters wine is recovered.

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 name of the petitioners has come on the basis of disclosure of co-accused Ramnath Yadav made before police as per F.I.R. Except for this, there is no other substantive evidence



to suggest the implication of the petitioners in this case. It is alleged that 4 liters wine is recovered from Ramnath Yadav. 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, Gopalganj in connection with Majhagarh P.S. case No.132 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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