

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42825 of 2018

Arising Out of PS. Case No.-115 Year-2018 Thana- BIHARSHARIF District- Nalanda

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1. Ajit Yadav @ Ajit Kumar,
 2. Vicky Yadav @ Vicky Kumar, Both S/o Jitu Yadav, R/o Mohallar- Katra.
 3. Rajkumar Yadav, S/o Late Lakhan Yadav, R/o Dhobi Tola, all P.S.- Bihar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Mr. Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30, 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 45 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 disclosure of co-accused Jitu Yadav. Except for this, there is no



other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 45 liters wine is recovered from co-accused Jitu 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) with two sureties of the like amount each to the satisfaction of learned 6th Addl. District & Sessions Judge-cum-Spl. Court Excise, Nalanda, Bihar Sharif in connection with Bihar P.S. case No.115 of 2018, 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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