

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61575 of 2018

Arising Out of PS. Case No.-286 Year-2018 Thana- GAYA MUFASIL District- Gaya

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1. Sulesh Yadav,
 2. Bachan Yadav, Both sons of Shivan Yadav,
 3. Saurab Prasad, Son of Gulab Prasad Singh.
 4. Gore Yadav, Son of Badri Yadav,
 5. Dilip Yadav, Son of Kailash Yadav,
 6. Manish Yadav, Son of Munna Yadav,
 7. Anil Yadav, Son of Parsadi Yadav, All residents of Village-Kharhari, P.S.- Mufassil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh
For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-10-2018 Heard learned counsel for the petitioners and learned APP
for the State.

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

The prosecution case, in short, is that total 150 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 names of the petitioners have transpired as the alleged recovery is made from the joint houses of the petitioners where the other family members



also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that total 150 liters wine is recovered from the joint houses of the petitioners. 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./complaint case.

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.-V-cum- Special Judge, Excise, Gaya in connection with Mufassil P.S. Case No. 286 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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