

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.68541 of 2018**

Arising Out of PS. Case No.-275 Year-2018 Thana- SAHEBPUR KAMAL District-  
Begusarai

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Inglish Yadav, S/o Kamal Yadav, Resident of Village- Gyan Tol, P.S.-  
Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      22-11-2018      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case  
registered under Section 30(A) of the Bihar Prohibition and  
Excise Act, 2016.

The prosecution case, in short, is that 5.400 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent and there is no  
allegation of tampering of witnesses alleged against the  
petitioner. The name of the petitioner has transpired as the father  
of the petitioner is the owner of the motorcycle in question.  
Same was given by the father of the petitioner to the co-villager



for his personal use. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 5.400 liters wine is recovered from the motorcycle in question. 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 Cr.P.C.

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

Considering the aforesaid facts and circumstances, let the petitioner, 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 Addl. Sessions Judge II-cum-Special Judge Excise, Begusarai in connection with S. Kamal P.S. case No.275 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

**(Sudhir Singh, J)**

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