# IN THE HIGH COURT OF JUDICATURE AT PATNA
**Criminal Miscellaneous No.14145 of 2018**

Arising Out of PS. Case No.-151 Year-2010 Thana- GOVERNMENT OFFICIAL COMP. District- Gaya

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Satendar Yadav, Son of Late Dahoo Yadav, Resident of village- Mayapur, P.S.- Mufassil, District- Gaya.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Syed Mojibur Rahman
For the Opposite Party/s : Mr. SHAILENDRA KUMAR -1

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

ORAL ORDER

2 14-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 47(A) of the Excise Act.

The prosecution case, in short, is that 16 liters wine is 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 transpired as the alleged recovery is made from the premises owned by the petitioner. Petitioner denies that he has any such premises for manufacturing mahua wine. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 16 liters wine is recovered from the premises 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./complaint.

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 Special Judge, Excise, Gaya in connection with Excise Case No. 151 of 2010 (S. Tr. No. 1240 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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