

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14345 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -VISHNUPAD District- GAYA

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1. Sanny Yadav Son of Bodhu Yadav
2. Buta Yadav@ Kachhua Yadav Son of Bhola Yadav Both Resident of
Village- Khatakachak, P.S. Vishnupad, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-03-2018 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 28.5 liters wine is
recovered.

It has been submitted on behalf of the petitioners that
there is no allegation of tampering of witnesses against the
petitioners. The names of the petitioners have transpired on the
basis of disclosure made by the co-accused namely, Dwarka
Ravidas. Except for this, there is no other substantive evidence to
suggest the implication of the petitioners in this case. It is alleged



that 28.5 liters wine is recovered from boundary wall of abandoned house of co-accused. 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 petitioner 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 Special Judge (Excise), Gaya in connection with Vishnupad P.S. Case No. 08 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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