

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18921 of 2018

Arising Out of PS.Case No. -424 Year- 2017 Thana -MAIRWA District- SIWAN

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1. Hareram Yadav @ Hareram Choudhary
 2. Satendra Yadav
 3. Umesh Yadav
 4. Mukul Miyan, Awadhesh Yadav
 5. Awadhesh Yadav
 6. Chhagur Yadav &
 7. Dhuman Yadav @ Dhumal Yadav

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections-147, 148, 149, 341, 323, 353, 354 and 325 of the Indian Penal Code and Sections-30(a), 41(i), 45 & 38(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 12 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 on the basis of disclosure made by the local Chowkidar. The petitioners have alleged to have made protest against the arrest of other co-accused. Except for this, there is no other



substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 12 liters wine is recovered from co-accused Surendra 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. The other co-accused persons have been granted anticipatory bail by this court vide order dated 07-02-2018 passed in Cr. Misc. No. 6909 of 2018.

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 2nd Additional Sessions Judge-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 424 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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