

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20248 of 2018

Arising Out of PS. Case No.-18 Year-2017 Thana- DULHIN BAZAR District- Patna

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1. Kamlesh Yadav @ Kamlesh Singh Son of Chhakan Prasad @ Chhakan Yadav
 2. Parmanand Yadav Son of Late Mogal Yadav
 3. Akhilesh Yadav Son of Mahajan Yadav All are residents of Village - Khainiya, P.S. - Bhagwanganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

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

The prosecution case, in short, is that 5 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 name of the petitioners has come on the disclosure of co-accused Birendra Yadav. Except for this, there



is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 5 liters wine is recovered from co-accused Birendra 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.

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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Patna in connection with Special case No.2634 of 2017 arising out of Dulhin Bazar P.S. case No.18 of 2017, 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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