

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8054 of 2018

Arising Out of PS. Case No.-138 Year-2017 Thana- RAHIKA District- Madhubani

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1. Mithilesh Yadav @ Mithilesh Kumar Yadav, Son of Raghunath Yadav, Resident of Village- Navratan Tool Balat, P.S.- Rahika, District- Madhubani.
 2. Anill Choupal @ Anil Kumar Choupal, Son of Unai Chaupal, Resident of Village- Gagbar, P.S.- Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shailendra Kumar Jha
For the Opposite Party/s :	Mr. ANAND KISHORE CHOUDHARY

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 3.750 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 Ashok Ram. Except for this, there is no



other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 3.750 liters wine is recovered from the Yadav Line Hotel. 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 A.D.J. II, Madhubani in connection with Rahika P.S. case No.138 of 2017 corresponding to G.R. No.733 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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