

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40341 of 2018

Arising Out of PS.Case No. -112 Year- 2018 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

- =====
1. Jeetendra Yadav @ Jeetu Yadav.
 2. Baiju Yadav. Sons of Rupa Yadav. Residents of Village - Nichli Bazar
Giriak, Police Station - Giriak, District : Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumari Sujata Sinha, Advocate.

For the Opposite Party : Mr. Ahtash Ali Khan, APP 4

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 30(a), 32, 37 and 38 of
the Bihar Prohibition and Excise Act, 2016

The prosecution story, in brief, is that total 13.300
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioners that the petitioner has falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioners. It is alleged that total
13.300 liters wine is recovered from the joint house. The name of
the petitioners has come on the basis of alleged recovery made



from the joint house of the petitioners where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned 6th Additional District and Sessions Judge, Excise, Nalanda at Biharsharif, in connection with Giriak P.S. Case No. 112 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./Abhijeet-

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