

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.219 of 2018

Arising Out of PS. Case No.-358 Year-2017 Thana- CHHATAPUR District- Supaul

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1. Eshwar Yadav, Son of Late Raghuvver Yadav,
 2. Sandeep Yadav @ Sandeep Kumar Yadav, Son of Eshwar Yadav,
 3. Bauki Yadav, Son of Eshwar Yadav, All are resident of Village-Tintangi, Ward No.13, (Rajeshwari O.P.), P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Prafull Chandra Thakur, Advocate
For the State	:	Mr. UMESH LAL VERMA, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-01-2018 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 889.350 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 basis of information given by S.D.M., Triveniganj as per F.I.R. Except for this, there is no other substantive evidence to suggest the



implication of the petitioners in this case. It is alleged that 889.350 liters wine is recovered from an open field an abandoned stage. 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 Additional Sessions Judge IInd-cum-Special Judge, Suapul in connection with Chhatapur P.S. case No.358 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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