

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47424 of 2018**

Arising Out of PS. Case No.-105 Year-2018 Thana- MANSI District- Khagaria

Jai Prakash Yadav, Son of Late Mahadeo Yadav, Resident of Saidpur, Ward No 2, Police Station- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Siddhartha Prasad  
For the Opposite Party/s : Mr. Asharaf Ansari

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-08-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016 and Sections 25(1-B)(a)/26 of the Arms Act.

The prosecution case, in short, is that 7.700 liters wine and a pistol along with four cartridges are recovered.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is made from the joint house of the petitioner where the other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 7.700 liters wine



and a pistol along with four cartridges are recovered from the joint house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 Additional District Judge 1<sup>st</sup>, Khagaria in connection with Mansi P.S. case No.105 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Narendra/-

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