

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54944 of 2018

Arising Out of PS.Case No. -92 Year- 2018 Thana -LAXMIPUR District- JAMUI

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1. Duro Yadav son of Late Jhari Yadav,
2. Minti Yadav @ Mintu Yadav son of Jago Yadav, Both Resident of
Village- Kusitari, P.S. Laxmipur, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 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 Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that five liters wine and 10 Kg. Mahua 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 petitioner has transpired on the basis of disclosure made by the co-accused Chhotelal Murmu. Except for this, there is no other substantive evidence to suggest the implication of the



petitioners in this case. It is alleged that five liters wine and 10 Kg. Mahua is recovered from the bank of the river. 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.-2nd, Jamui in connection with Laxmipur P.S. Case No. 92 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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