

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59870 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -BAKHTIYARPUR District- PATNA

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BRIJA YADAV @ BRIJNANDAN PRASAD @ VIRZA YADAV @
VRIJNANDAN YADAV @ BRIJ YADAV, S/o Late Janakdhari Yadav,
Resident of At and P.O. Misi, P.S. Bakhtiyarpur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 27-09-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 10 litres wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the disclosure of co-accused Kapil Yadav and Satyendra Yadav. Except for this, there is no other substantive evidence to suggest the implication of the



petitioner in this case. It is alleged that 10 litres wine is recovered. 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 FIR.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Bakhtiarpur Police Station Case No. 71 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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