

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65917 of 2018

Arising Out of PS. Case No.-165 Year-2018 Thana- ARIYARI District- Sheikhpura

1. Laddu Yadav

2. Bosu Yadav

Both sons of Bachchan Yadav, r/o- village Sumka, P.S.- Ariyari (Kasar),
District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-10-2018 Counsel for the petitioners is permitted to make necessary
correction in paragraph no. 1 of the application in course of the day.

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
30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 4 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 names of
the petitioners have transpired as the alleged recovery is made from
the joint houses of the petitioners where the other family members



also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 4 liters wine is recovered from joint house of the petitioners. 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/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 1st Additional District & Sessions Judge, Sheikhpura in connection with Excise Case No. 237/18 arising out of Ariyari (Kasar) P.S. Case No. 165/18), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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