

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2189 of 2018

Arising Out of PS. Case No.-304 Year-2017 Thana- DUMRAUN District- Buxar

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1. Binod Yadav @ Binod Kumar Yadav,
 2. Chote Lal Yadav Both Sons of Lal Sahab Singh @ Lal Sahab Yadav, R/o Village- Navadera, P.S.- Dumraon (Naya Bhojpur), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh

For the Opposite Party/s : Mr. RAJESH KUMAR

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under 30(a) of the Bihar Prohibition and Excise Act, 2016.

The Prosecution case, in short, is that 7.200 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner No.2 has 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 secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution.



Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 7.200 liters wine is recovered from an open field in abandoned stage. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the aforesaid 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. II-cum-Special Judge, Excise Act, Buxar in connection with Dumraon P.S. case No.304 of 2017, 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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