

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35138 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

- =====
1. Sanjay Yadav, Son of Late Babuchand Yadav,
 2. Shyamkishore Yadav, Son of Kara Yadav,
 3. Balmiki Yadav, Son of Late Lakhan Yadav,
 4. Burmani Yadav, Son of Vijay Yadav. All are residents of Village Atabalchak, P.S. Tharthari, District- Nalanda.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Rabindra Prasad Singh, Advocate.

For the Opposite Party : Mr. Suresh Prasad Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

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

The prosecution story, in brief, is that total 20 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioners that the petitioners have falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioners. It is alleged that total 20
liters wine is recovered under the Bridge in abandoned state. The



name of the petitioners has come on the basis of disclosure made by local residents as per the F.I.R. The name of the local residents, who have named the petitioners, 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. 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 or 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 the learned VIth Additional District and Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif in connection with Tharthari P.S. Case No. 11 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

U.K./-

U		T	
---	--	---	--

