

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52520 of 2018

Arising Out of PS. Case No.-209 Year-2018 Thana- BELAGANJ District- Gaya

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1. Sanju Choudhary Son of Birju Choudhary
 2. Renu Manjhi Son of Balu Manjhi
 3. Birendar Yadav Son of Chamru Yadav
 4. Ashok Choudhary @ Duggi Choudhary Son of Late Kaila @ Kailash Choudhary
 5. Chottu Yadav Son of Ranjan Yadav
 6. Santosh Kumar Son of Muskan Yadav
 7. Rinku Yadav @ Ripu Yadav @ Barun Yadav Son of Binay Prasad @ Binay Yadav
 8. Santosh Yadav Son of Salendar Yadav @ Satendra Yadav All residents of Village - Dallu Bigha (Birbal Bigha), P.S. - Belaganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary
For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

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

The prosecution case, in short, is that 30 liters wine and 25 kg mahua flower are 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 on the basis of disclosure made by Rajesh Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 30 liters wine and 25 kg mahua flower are 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./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 Special Judge, Excise, Gaya in connection with Belaganj P.S. Case No. 209 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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