

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16139 of 2018

Arising Out of PS.Case No. -122 Year- 2017 Thana -CHAPRA MUFFASIL District- SARAN

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1. Yogendra Rai, S/o Baijnath Rai,
2. Bablu Kumar, S/o Lalu Rai, Both are residents of Village- Sadaha, P.S.-
Chapra Muffasil, Distt- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-03-2018 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 IPC and Sections-30/38/41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 146 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 on the basis of disclosure made by the co-accused 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 146 liters wine is recovered by the side of a pond. 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 is 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) with two sureties of the like amount each to the satisfaction of learned A.D.J-VI, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 122 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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