IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10766 of 2018

==========

1. Rudal Yadav, S/o Late Saheb Yadav,
2. Rana Pratap Yadav,
3. Vijay Pratap Yadav Both 2 and 3 are S/o Rudal Yadav, All 1 to 3 are R/o Village- Sarharwa, P.S.- Darauli, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Mr. Rajeev Nayan

==========

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioners and the learned counsel for the State.

The petitioners seek anticipatory bail in connection with Darauli PS case no. 248 of 2017 registered for the offences punishable under Section 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 1.80 liters of illicit liquor from the shop and 8.640 of illicit liquor from the hut of the petitioners.

The learned counsel for the petitioners submits that neither any recovery has been effected from the person of the petitioners nor the provisions of Section 100 Cr. P.C. has been complied with while preparing the seizure list, hence the alleged

WEB COPY

seizure list itself is doubtful. It is stated that the petitioners are having a clean antecedent.

Considering the nature of accusation levelled against the petitioners herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 2nd cum Special Judge (Excise), Siwan in connection with Darauli PS case no. 248 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	

WEB COPY