

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28502 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- BAKHTIYARPUR District- Patna

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1. Rishi Yadav, aged about 36 years Son of Ramanand Yadav @ Ramanand Singh
 2. Phekan Yadav, aged about 46 years Son of Bindeshwar Yadav Both Resident of Village- Misi, P.S. Bakhtiyarpur, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-05-2018 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) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 10 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 name of the petitioners has come on the disclosure of co-accused Kapil Yadav and Satyendra Yadav. Except for this, there is no other substantive evidence to suggest



the implication of the petitioners in this case. It is alleged that 10 liters wine is recovered. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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.

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. IX-cum-Special Judge, Excise Act, Patna in connection with Special case No.1153 of 2018 arising out of Bakhtiyarpur P.S. case No.71 of 2018, 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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