

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49874 of 2018

Arising Out of PS.Case No. -98 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

=====

1. Chhotu Yadav son of Late Ranjan Yadav
2. Yogendra Yadav son of Awadh Yadav
3. Prem Chaudhary son of Late Kara @ Bali Chaudhary
4. Birendra Yadav son of Chamru Yadav
5. Guddu Yadav son of Late Shyamdeo Yadav
6. Santosh Yadav son of Muskan Yadav
7. Sita Ram Yadav son of Shiv Charan Yadav
8. Raju Yadav son of Kushu Yadav
9. Sanjay Yadav son of Late Sitaram Yadav All residents of Village Dalli Bigha, P.S.Belaganj, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Syed Ehteshamuddin

For the Opposite Party/s : Mr. Aditya Narayan Singh 1

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30(a) & 56(Gh) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 130 litres wine and 6400 kg. Mahua Flower 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 transpired on the basis of disclosure



made by the local residents. The name of 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. It is alleged that 130 litres wine and 6400 kg. Mahua Flower is 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.

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 Excise (Gaya) P.S. Case No. 98 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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

