

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3502 of 2018**

Arising Out of PS. Case No.-269 Year-2017 Thana- CHAUSA District- Madhepura

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1. Sonu Kumar @ Sintu Kumar Yadav @ Sintu Yadav, son of Shri Sashi Bhushan Yadav
  2. Manoj Yadav, son of Vijo Yadav
  3. Rajesh Kumar Yadav @ Rajesh Yadav, son of Sri Sushil Yadav
- All are resident of village Ghosai, P.S.- Chousa, District- Madhepura.
4. Rajesh Kumar Yadav @ Rajesh Yadav son of late Sadanand Yadav, resident of village Kanu Varahi 'Ghosai', P.s.- Chousa, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dinesh Prasad Verma  
For the Opposite Party/s : Mr. RAMESH CHANDRA

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      14-03-2018                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 30(a) and 37(B) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 71.5 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 co-accuseds namely Birbal Sah and



Jawahar Mandal. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 71.5 liters wine is recovered from the house of co-accused Binod Yadav. 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 Assistant District and Sessions Judge-3rd-cum- Special Judge, Excise Act, Madhepura in connection with Chausa P.S. Case No. 269 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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