

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47755 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- BAGAINGOLA District- Buxar

-
1. Manoj Kumar Singh @ Manoj Yadav, S/o Kashinath Yadav, R/o Vill.- Chapra,
 2. Teju Yadav S/o Dana Yadav, R/o Vill.- Chapra,
 3. Hippy Yadav @ Heppy Yadav S/o Chathu Yadav, R/o Vill.- Bhadsari, All are P.S.- Bagengola, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-08-2018 Heard learned counsel for the petitioners and learned APP
for the State.

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

The prosecution case, in short, is that 900 ml wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner nos. 1 and 3 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The name of petitioner no. 1 has transpired as the motorcycle belongs to him. The said motorcycle was given by the petitioner no. 1 to his co-villager for his personal use. So far the other petitioners are



concerned, their name have transpired in the present case on the basis of disclosure made by local chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 900 ml wine is recovered from the motorcycle in question. 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./complaint case.

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 A.D.J.-II-cum- Special Judge, Excise Act, Buxar in connection with Bagengola P.S. Case No. 32/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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

