

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59556 of 2018

Arising Out of PS. Case No.-244 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

-
1. Chuti Yadav, S/o Keshar Yadav,
 2. Mahesh Yadav S/o Yogendra Yadav, Both R/o Vill.- Behrwatori,
P.S.- Gharkapathar (Sono), District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-09-2018 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 36 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are alleged to have been identified by the police party. The petitioners are not known to the police party nor the police party known to the petitioners. Hence, the



identification made by the police party itself is doubtful. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 36 liters wine is recovered from the auto. The auto in question does not belong to the petitioners. 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) with two sureties of the like amount each to the satisfaction of learned A.D.J. IInd, Jamui in connection with Case No.244C2 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

