

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16574 of 2019

Arising Out of PS. Case No.-15 Year-2018 Thana- THARTHARI District- Nalanda

1. KOPA YADAV AND ANR S/o Singeshwar Yadav
2. Guddu Yadav Son of Late Kapil Yadav
Both R/o Village- Atwal Chak, P.S.- Tharthari, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with tharthari P.S.Case No.15 of 2018 dated 25.5.2018 registered for offences punishable under Sections 30(a), 30(d) of Bihar Excise (Prohibition)Amendment Act, 2016. of the Indian Penal Code.

Allegation against the petitioners is about recovery of 69 ltrs. of liquor from near the mango tree and the FIR discloses that the petitioner succeeded in fleeing away. It further appears that petitioner no.1 is accused in three other cases and the petitioner no.2 is accused in one more case.

Submission of the learned counsel for the petitioners is that only on suspicion, all the cases have been lodged and in all



those cases, nothing has been recovered from the conscious possession of the petitioners.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners, however, the petitioners are directed to surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below, which will be considered on the basis of materials available on the record.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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