

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12885 of 2019

Arising Out of PS. Case No.-11 Year-2018 Thana- THARTHARI District- Nalanda

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1. Kopa Yadav, Son of Singeshwar Yadav Resident of Village - Atwal Chak
P.S.- Tharthari, District - Nalanda
 2. Guddu Yadav, Son of Late Kapil Yadav Resident of Village - Atwal Chak
P.S.- Tharthari, District - Nalanda

... .. Petitioner/s

Versus

The State of 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 DINESH KUMAR SINGH
ORAL ORDER

2 05-03-2019 Heard learned counsels for the petitioners and the
State.

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

The prosecution case, as per the FIR is to the effect that on information being received that the trading of illicit liquor is going on, raid was laid when seven persons including the petitioners escaped from the scene and 20 litres of country made illicit liquor were recovered underneath a bridge.

It is submitted by learned counsel for the petitioners that admittedly recovery has not been made from the conscious



physical possession of the petitioners and only on the basis of suspicion, the petitioners have been roped in the present case.

Learned APP submits that on seeing the police personnel, the petitioners escaped from the scene.

Considering the fact that prosecution report does not suggest that recovery has been made from the conscious physical possession of the petitioners, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge Excise-cum-ADJ-III, Nalanda at Biharsharif in connection with Tharthari P.S. Case No. 11 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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