

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15593 of 2019

Arising Out of PS. Case No.-214 Year-2018 Thana- CHERIYA BARIYARPUR District-
Begusarai

Yuvraj Kumar @ Yuvraj Kumar Singh Son of Ramanuj Singh Resident of
Village- Manjhaul Purwari Tola, P.S.- Cheria Bariarpur, District- Begusarai.
... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-03-2019 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 133.56 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 name of the petitioners has transpired in this
case on the basis of secret information. The source and
genuineness of the secret information has not been disclosed by
the prosecution. Except for this, there is no other substantive
evidence to suggest the implication of the petitioners in this



case. It is alleged that 133.56 liters wine is recovered from the banana field. The banana field, 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.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Begusarai in connection with Excise Case No. 214 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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