

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17153 of 2019

Arising Out of PS. Case No.-6 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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1. Manohar Yadav
 2. Bucho Yadav
Both Sons of Late Mahendra Yadav, Resident of Ward No. 12, Kharhat, P.S.-
Sahebpur Kamal, District- Begusarai
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 29-03-2019 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 Excise Act, 2016.

The prosecution case, in short, is that 221.420 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 have transpired as the
alleged recovery is said to have been made from joint house of
the petitioners where other family members also reside. Except



for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 221.420 liters wine is recovered from joint house of 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 Act, Begusarai in connection with Case No. 06C2/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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