

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18648 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- PARASBIGHA District- Jehanabad

1. Pankaj Yadav, Son of Durga Yadav, Resident of Village - Dihuri, P.S.-
Parasbigha, Distt -Jehanabad.
2. Mantu Yadav, Son of Durga Yadav, Resident of Village - Dihuri, P.S.-
Parasbigha, Distt -Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj

For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-03-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

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

The prosecution case is that a secret information was received that petitioners on north side of Dilhuri village were preparing country made liquor. Whereupon, a raid was laid, on seeing the police personnel, petitioners escaped from the scene, but 35 litres of country made liquor were recovered from the



place of occurrence.

It is submitted by learned counsel for the petitioners that the seizure list suggests that recovery has been made from the embankment of a water channel and apart from 35 litres of country made liquor, no equipment for preparing the country made liquor were recovered though it is alleged that the petitioners used to prepare the country made liquor. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners escaped from the place of occurrence and they are named in the FIR.

Considering the fact that the seizure list and the FIR does not suggest the said recovery from the conscious physical possession of the petitioners, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge-II**,



Jahanabad in connection with **Parasbigha P.S. Case No.215 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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