

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74960 of 2018

Arising Out of PS. Case No.-367 Year-2018 Thana- ATRI District- Gaya

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Munarik Yadav, S/o- Late Yadav, R/o- Village Chahal, P.S.- Atari, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav

For the Opposite Party/s : Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the written report of Manoranjan Kumar, Sub-Inspector of Police, submitted to the Station House Officer, Atri Police Station, is to the effect that on 17.10.2018, at 3 P.M., the informant received a secret information that in the village Chahal Pitra Badhar, the petitioner, Munrik Yadav and co-accused Ramfal Manjhi are preparing country made liquor, when the raid was laid and 12 liters country made liquor and manufacturing equipment of the



country made liquor were recovered. One persons was apprehended on the spot, who disclosed his name as Ramphal Manjhi and also disclosed the name of the petitioner, as the person who escaped from the scene.

It is submitted by learned counsel for the petitioner that the seizure list reflects that seizure has been made from the house of co-accused Birju Chaudhary and no recovery has been made from the petitioner. The name of the petitioner sprang up on the confession of apprehended accused. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of apprehended accused.

Considering the fact that no recovery has been made from the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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) with two sureties of like amount each to the satisfaction of learned Special Excise Judge, Gaya in connection



with Atri P.S. Case No. 367 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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