

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42917 of 2019

Arising Out of PS. Case No.-375 Year-2017 Thana- TEKARI District- Gaya

1. Bigan Yadav @ Vigan Yadav @ Vigan Kumar, Son of Brahmdeo Yadav Resident of Village - Malsarai, P.S.- Panchanpur, Tekari, Dsit.- Gaya.
2. Jataha Yadav @ Jitendra Yadav, Son of Indradeo yadav Resident of Village - Malsarai, P.S.- Panchanpur, Tekari, Dsit.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Tekari (Panchanpur) P.S. Case No.375 of 2017, for the offence punishable under Sections 30(a),(c), (d) of Bihar Excise and Prohibition Act, 2016.

The allegation against the petitioners as per First Information Report is that police on the basis of secret information proceeded towards the place of occurrence and recovered a total quantity of 10 litres of illicit Mahua liquor from the forest situated near Jamuna river and the petitioners have been made accused on the basis of secret information.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as



petitioners have got no criminal antecedent and their name have been dragged on the basis of secret information. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or premises belonging to the petitioner.

Having regard to the submissions made by the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from premises belonging to the petitioner, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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