

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48639 of 2019

Arising Out of PS. Case No.-164 Year-2018 Thana- RAJAOLI District- Nawada

1. SARJU YADAV, Male, aged about 40 years, Son of Lohani Yadav Resident of Village - Job, P.S.- Rajauli, District - Nawada (Bihar)
2. Subodh Yadav @ Subodh Pd. Yadav, Male, aged about 36 years, Son of Bandhu Yadav Resident of Village - Job, P.S.- Rajauli, District - Nawada (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhanshu Shekhar

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-08-2019 Heard both sides.

The petitioners apprehend their arrest in Rajauli P.S.
Case No.164 of 2018 registered under Section 30(a) of Bihar
Prohibition and Excise Act.

The informant alleged that while the informant and others were on patrolling duty, they got information about the illegal selling of liquor by both the petitioners. When the informant raided near the place of occurrence, four persons managed to flee away. 60 liters country made liquor is said to have been recovered from the place of occurrence.

The learned counsel for the petitioners submits that petitioners have got no criminal antecedent and save and except



the disclosure made by the informant that the petitioners are indulged in selling liquor, there is no material against the petitioners. Nothing has been recovered from the conscious possession of the petitioners. The recovery was made from a bush.

Taking into consideration the facts aforesaid and the fact that the petitioners have no criminal antecedent, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II-cum-Special Judge, Nawada in connection with Rajauli P.S. Case No.164 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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