

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56821 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- RAJAOLI District- Nawada

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1. MUNNA @ TUNNA YADAV Son of Badho Yadav Resident of Mohkama, P.S-Rajauli, District-Nawada.
 2. Shankar Yadav Son of Badho Yadav Resident of Mohkama, P.S-Rajauli, District-Nawada.
 3. Kishori Yadav Son of Badho Yadav Resident of Mohkama, P.S-Rajauli, District-Nawada.
 4. Badho Yadav Son of Somar Yadav Resident of Mohkama, P.S-Rajauli, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-09-2019 At the very outset, learned counsel for the petitioners submits that the petitioner no.2, namely, Shankar Yadav, has already been arrested by the police in this case and seeks permission to withdraw this application in respect of the petitioner no.2.

Permission is accorded.

This application in respect of the petitioner no.2, namely, Shankar Yadav, is dismissed as withdrawn.

Now, only the prayer of the petitioner nos.1, 3 and 4, above named, for grant of privilege of pre-arrest bail is being



considered.

Heard.

The petitioner nos.1, 3 and 4, above named, apprehend their arrest in connection with Rajauli P.S. Case No.152 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about selling the liquor at the bamboo clumps, situated at the bank of river in village-Mohkama, by the aforesaid petitioners and others, the informant along with other police personnel reached there. On seeing the police party, all succeeded to flee away. On search, three plastic jerrycans, total containing 80 liters country made liquor, were recovered from there.

Learned counsel for the aforesaid petitioners submits that the aforesaid petitioners were not apprehended on the spot and their name has surfaced in the F.I.R. merely on information about selling of the liquor by them at the alleged place of the occurrence. The aforesaid petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioner nos.1, 3 and 4, above named, in the event of their arrest or surrender by them within six weeks from



today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Nawada, in connection with Rajauli P.S. Case No.152 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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