

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79532 of 2018

Arising Out of PS. Case No.-752 Year-2018 Thana- NAWADA District- Nawada

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1. Pintu Kumar, S/o Prakash Yadav.
 2. Ram Khelawan Yadav, S/o Late Jagdish Yadav. Both R/vill-Mahuli, Shishwan, P.S-Nawada, Distt.-Nawada.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Man Mohan Kumar, Advocate.
For the Opposite Party : Mr. Atul Chandra,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-02-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

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

The prosecution story, in brief, is that total 270 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 270 liters



wine is recovered by the side of road. The name of the petitioners has come in the present case on the basis of seized Scorpio vehicle which was park by the side of road. The petitioners are alleged to be owner-cum-driver of the said Scorpio vehicle. The vehicle is run as a Taxi by the petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds 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-cum-Special Judge, Nawada, in connection with Nawada P.S. Case No. 752 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Sudhir Singh, J)

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