

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76980 of 2019

Arising Out of PS. Case No.-337 Year-2019 Thana- RAJAOLI District- Nawada

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1. CHANDESHWAR YADAV Son of Ram Swaroop Yadav Resident of Village - Mohkama, P.S. - Rajouli, District- Nawada.
 2. Sanjay Yadav Son of Munshi Yadav Resident of Village - Mohkama, P.S. - Rajouli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rajouli P.S. Case no. 337 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016,

The accusation is that in course of patrolling duty, informant along with other Police personnel reached near the house of petitioners at village Mohkam. On seeing the Police party, 2-3 persons started fleeing while they were chased, but they succeeded to flee away. On search, one gallon containing six liters of country made liquor recovered from maize field situated near the house of Chandeshwar Yadav (Petitioner



No.1) and 50 Kg of Mahua and 30 pouches liquor recovered near the house of Sanjay Yadav (Petitioner No.2).

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioners were not apprehended on the spot and the alleged country made liquor along with Mahua were not recovered from the house of petitioners, rather, the same are said to be recovered from the Maize field and filed nearby the house of petitioners. Further submission is that both the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-II-cum-Special Judge, Nawada in connection with Rajouli P.S. Case No. 337 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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