

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2881 of 2019

Arising Out of PS. Case No.-97 Year-2018 Thana- THARTHARI District- Nalanda

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1. Mantu Yadav, son of Mangal Yadav
 2. Sagar Yadav @ Satyendar Yadav @ Satyendra, son of Munni Lal Yadav
 3. Rabu Yadav, son of Late Brichh Yadav
 4. Nagina Yadav, son of Late Brichh Yadav
 5. Bambam Yadav, son of Ramji Yadav @ Rajo Yadav
- All Resident of village-Paltu Bigha, P.S. Tharthari, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar Sinha
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

Petitioners are seeking anticipatory bail in connection with Tharthari P.S. Case No. 97 of 2018 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that from bare perusal of the seizure list, in the present case, it would appear that the alleged illicit liquor has been recovered from a Khanda (lonely place) which these petitioners have nothing to do. Learned counsel submits that names of these petitioners have been brought in the present case on mere suspicion without



there being any basis.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances of the case where neither perusal of the F.I.R. nor the seizure list indicate that the illicit liquor has been recovered from any place belonging to these petitioners, this Court would direct that in case of arrest or surrender of the petitioners within a period of four weeks from today, the abovenamed petitioners shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI-Cum-Special Judge, Nalanda at Biharsharif in connection with Tharthari P.S. Case No. 97 of 2018, subject to the condition that petitioners shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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