

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1748 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- SALAIYA District- Aurangabad

1. SUDHIR YADAV Son of Late Munshi Yadav @ Late Munni Yadav Resident of Village - Jogiya, P.S.- Gurua, District- Gaya
2. Santan Yadav @ Saten Yadav @ Satendra Yadav Son of Bhuli Yadav @ Bholu Yadav @ Muli Yadav Resident of Village - Jogiya, P.S.- Gurua, District- Gaya
3. Santosh Yadav Son of Umesh Yadav Resident of Village - Jogiya, P.S.- Gurua, District- Gaya
4. Suresh Bhuiyan Son of Pahru Bhuiyan Resident of Village - Jogiya, P.S.- Gurua, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.K.P.Singh, senior Advocate and
Mr. SK Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend arrest in a case registered for
the offences punishable under Section 30a Bihar Prohibition and
Excise Act.

20 liters of Mahua liquor has been recovered from the
bush situated near Chalka Pahar.

Learned counsel for the petitioners submits that
nothing has been recovered from his possession and he has
falsely been implicated in this case by the villagers. Provision of



section 100 Cr.P.C. has not been followed at the time of search and seizure.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VII cum Special Judge, Excise Act Aurangabad in Salaiya Police Station Case No. 64/2019 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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