

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17921 of 2020**

Arising Out of PS. Case No.-274 Year-2019 Thana- PHULWARIYA District- Gopalganj

1. Suresh Yadav Son of Awadh Yadav Resident of Village - Madarwani, Ward No. II, P.S.- Pulwariya, District- Gopalganj
2. Anil Yadav Son of Late Garju Yadav Resident of Village - Madarwani, Ward No. II, P.S.- Pulwariya, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      11-06-2020                      This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned A.P.P for the State.

The petitioners apprehend their arrest in **Phulwariya P.S. Case No. 274 of 2019**, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

294.20 litres of liquor is said to have been recovered from bamboo bush near the under-constructed house of co-accused Sanjay Yadav. It is alleged that Chowkidar had seen the



petitioners, fleeing from the said place.

It is submitted that petitioners have falsely been implicated in this case. Nothing has been recovered from conscious possession of these petitioners. The provision of section 100 Cr.P.C has not been followed.

Considering the facts aforesaid, the petitioners above-named in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 learned **Additional Sessions Judge II-cum-Special Judge, Excise Act, Gopalganj** in connection with **Phulwariya P.S. Case No. 274 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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