

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70184 of 2019

Arising Out of PS. Case No.-310 Year-2019 Thana- SIRDALA District- Nawada

1. NARESH YADAV, Son of Late Narayan Prasad
2. Ram Prasad, Son of Daso Prasad, both Resident of Village - Bahuara, P.S. - Sirdala, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

Submission is that recovery of liquor is not alleged from possession of the petitioners. Rather name of the petitioners surfaced in the confessional statement of co-accused Jayram Prasad from whose possession liquor was recovered. Petitioners have stated on oath that they have got no criminal antecedent. There is no material to substantiate that the petitioners are going to tamper with the evidence or abscond the process of law.

Considering the fact that there is no substantial



material against the petitioners to compel the petitioners to go to jail, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sirdala Police Station Case No. 310 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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