

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86531 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- SIGAUDI District- Patna

-
1. Sidhnath Yadav @ Sidhnath Kumar
 2. Lalu Yadav @ Lalu Kumar
Both son of Kapil Yadav @ Jatta Yadav, all R/o village- Narauli
Noniachak, P.S.- Sigori, District- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Sigori P.S. Case No. 102 of 2019 registered for the offence
punishable under Section 30(a) of Bihar Prohibition of Liquor
and Excise Act, 2018.

The police recovered country made *Mahua* liquor
and some apparatus for preparation of the aforesaid liquor and
came to know that petitioners were engaged in manufacturing of
the said country made liquor.

However, learned counsel appearing for the



petitioners submits that some co-accused, having similar allegation, have already been granted privilege of anticipatory bail by co-ordinate Benches of this court taking note of this fact that no case under the provision of Bihar Prohibition and Excise Act is made out against those co-accused.

Learned counsel appearing for the petitioners further submits that FIR goes to show that some unknown persons disclosed the name of the petitioners and as a matter of fact, nothing was recovered either from possession of the petitioners or from their respective houses. However, the name of those persons, who disclosed about the involvement of the petitioners, has not been disclosed by the investigating officer in the first information report and, therefore, in the aforesaid circumstances, this anticipatory bail petition is maintainable even though the case has been registered under the provision of Bihar Prohibition and Excise Act.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of
learned Special Judge (Excise), Patna in Sigori P.S. Case No.
102 of 2019, subject to conditions as laid down under Section
438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

