

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1693 of 2020

Arising Out of PS. Case No.-152 Year-2018 Thana- RAJAOLI District- Nawada

1. Sunil Yadav, Son of Prabhu Yadav Resident of Village- Kahkama @ Mahkama, P.S.- Rajauli, District- Nawada.
2. Munna Yadav Son of Late Parsadi Yadav @ Prasadi Yadav Resident of Village- Kahkama @ Mahkama, P.S.- Rajauli, District- Nawada.
3. Horil Yadav Son of Budhan Yadav Resident of Village- Kahkama @ Mahkama, P.S.- Rajauli, District- Nawada.
4. Budhan Yadav Son of Late Parsadi Yadav @ Prasadi Yadav Resident of Village- Kahkama @ Mahkama, P.S.- Rajauli, District- Nawada.
5. Bedu Yadav Son of Late Chando Yadav Resident of Village- Kahkama @ Mahkama, P.S.- Rajauli, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-01-2020 This is an application for grant of anticipatory bail in connection with Rajauli P.S. Case No. 152 of 2018, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. petitioners were found engaged in transporting and selling the country made liquor and there is recovery of 80 liters of country made liquor from their possession.

Submission of the learned counsel for the petitioners



is that nothing has been recovered from their possession. They have falsely been implicated in this case, having no criminal antecedent. Further submission is that petitioners no. 4 and 5 are aged about 70 & 75 years old.

Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail on the ground that F.I.R. itself shows that there is recovery of liquor from the possession of the petitioners.

Having heard both sides, in view of the submissions, made above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, they have to surrender and prayer for regular bail before the learned court below, the same shall be considered on its own merit as well as the age of the individual petitioners, without being prejudiced by order of this Court, and if, possible to be disposed of on the same day.

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

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