

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19219 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- MANJHI District- Saran

1. Awadh Yadav @ Awadh Bihari Yadav Son Of Saryug Yadav Resident Of Village Matiyar P.S. Manjhi Dist Saran At Chapra
2. Vinod Kumar Yadav Son Of Awadh Yadav @ Awadh Bihari Yadav Resident Of Village Matiyar P.S. Manjhi Dist Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-06-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

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

The prosecution case, in short, is that 100 liters wine is
recovered.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired as the recovery is made from the joint house of the petitioners where other family members also reside. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 50 liters wine each has been recovered from the joint house of the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.D.J.-2nd -cum- Special Judge, Excise, Saran at Chapra in connection with Manjhi P.S. Case No. 234 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each



with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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