

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30753 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- ROSHANGANJ District- Gaya

1. RAJU YADAV @ RAJU KUMAR YADAV Son of Lakhan Yadav Resident of Village - Dumarigadh, P.S.- Raushanganj, District - Gaya.
2. Satendar Yadav @ Satendar Kumar Son of Rajendra Yadav Resident of Village - Dumarigadh, P.S.- Raushanganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-08-2021 Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in Raushanganj P.S. Case No. 11 of 2020 registered for the offence under Section-414 of the Indian Penal Code and Section-30(d) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that three quintals of Mahua flower 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 them. They have been falsely implicated in the present case. It is alleged that three quintals of Mahua flower is recovered from the car. The car, in question does not belong to the petitioners. The names of petitioners have transpired in this case on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. 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.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 bond to the satisfaction of learned Special Judge, Excise Act, Gaya in connection with Raushanganj P.S. Case No. 11 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) 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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