

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34850 of 2021

Arising Out of PS. Case No.-60 Year-2020 Thana- AGION (GARHANI) District- Bhojpur

1. MANOJ YADAV Son of Usi Yadav Resident of Village- Rampur, P.S.-
Agiaon (G), District- Bhojpur.
2. Ranjan Kahar Son of Kalika Kahar Resident of Village- Rampur, P.S.-
Agiaon (G), District- Bhojpur.
3. Chaudhary Yadav Son of Jagul Yadav Resident of Village- Rampur, P.S.-
Agiaon (G), District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malti Kumari
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2021 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 Agiaon
(G) P.S. Case No. 60 of 2020 corresponding to Ex. No. 687 of
2020 registered for the offence under Section-427 of the Indian
Penal Code and Sections-30(C) 30(D) of the Bihar Prohibition
and Excise Act.

The prosecution case, in short, is that 5000 liters Jawa



Mahua is destroyed.

It has been submitted on behalf of the petitioners that 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 5000 litres jawa Mahua is said to have been destroyed from Bhatti. Some utensils are said to have been recovered. The names of the petitioners have transpired in this case on the basis of disclosure made by 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 Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Bhojpur, Ara



in connection with Agiaon (G) P.S. Case No. 60 of 2020 corresponding to Excise No. 687 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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