

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32620 of 2021

Arising Out of PS. Case No.-588 Year-2020 Thana- RAJAOLI District- Nawada

1. PARMOD YADAV Son of Ram Chander Yadav Resident of Village- Satgir, P.S.- Rajali, District- Nawada.
2. Mukesh Yadav Son of Umesh Yadav Resident of Village- Satgir, P.S.- Rajali, District- Nawada.
3. Umesh Yadav Son of Jagan Mahto Resident of Village- Satgir, P.S.- Rajali, District- Nawada.
4. Jatan Yadav Son of Munni Yadav Resident of Village- Satgir, P.S.- Rajali, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-08-2021 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 Rajauli P.S. Case No. 588 of 2020 registered for the offence under Section-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 petitioner Nos. 1 to 3 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 100 litres wine is recovered from the forest area. The names of petitioners have transpired in this case on the basis of secret information. 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-II-cum-Special Judge, Excise Act, Nawada in connection with Rajauli P.S. Case No. 588 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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