

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36345 of 2021

Arising Out of PS. Case No.-488 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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1. Manjay Yadav @ Manjay Kumar Yadav S/O Late Panchdev Yadav R/O Village Janki Bazar, Ps Barhara, Khawaspur O.P, District-Bhojpur, Ara.
 2. Akash Yadav @ Akash Kumar Yadav @ Etwaru S/O Panchdev Yadav R/O Village Janki Bazar, Ps Barhara, Khawaspur O.P, District-Bhojpur, Ara.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Kumar Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 07-10-2021 Heard learned counsel for the petitioners and learned
APP for the State.

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

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

The prosecution case, in short, is that 720 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 straw house belonging to the joint family of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 720 liters wine is recovered from the straw house belonging to joint family of the petitioner. 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, 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV-cum- Special Court of Excise, Bhojpur, Ara in connection with Bhojpur Excise Case No. 488 of 2021, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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