

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49169 of 2021

Arising Out of PS. Case No.-328 Year-2021 Thana- RAJAOLI District- Nawada

1. DINESH YADAV Son of Chamru Yadav Resident of Village - Lohsinghna, P.S.- Akbarpur, District - Nawada
2. Navlesh Rajvanshi Son of Arjun Rajbanshi Resident of Village - Jaub, P.S.- Rajauli, District - Nawada.
3. Raushan Kumar @ Raushan Rajvanshi Son of Umesh Rajbanshi Resident of Village - Jaub, P.S.- Rajauli, District - Nawada.
4. Pramod Yadav Son of Devki Yadav Resident of Village - Mohkama, P.S.- Rajauli, District - Nawada.
5. Umesh Rajvanshi Son of Musafir Rajbanshi Resident of Village - Mohkama, P.S.- Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate
For the Opposite Party/s : Mr.Arbind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners submits that inadvertently
in the prayer portion of the application, P.S. case number and
place of the Court have wrongly been typed.

Accordingly, the same be corrected as Rajauli P.S.
case No.328 of 2021 and Additional Sessions Judge II-cum-
Special Judge, Nawada.

Counsel for the petitioners is directed to remove the



defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Rajauli P.S. case No.328/2021 registered under Section 414 of I.P.C. and Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 40 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. The names of the petitioners have transpired in this case on disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 40 liters wine is recovered from the Bhatti situated in the market place. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Nawada in connection with Rajauli P.S. case No.328 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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