

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49159 of 2021

Arising Out of PS. Case No.-71 Year-2021 Thana- RAHIKA District- Madhubani

1. RAM CHANDRA YADAV Son of Kali Yadav Resident of Village - Najirpur, P.S. - Rahika, District - Madhubani.
2. Rajesh Yadav @ Rajesh Kumar Yadav Son of Kali Yadav Resident of Village - Najirpur, P.S. - Rahika, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Shubham, Advocate

For the Opposite Party/s : Mr.Akbar Ali, 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 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 Rahika P.S. case No.71 of 2021 registered under Sections 272, 273, 34 of I.P.C. and Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 1977 liters wine is recovered.

It has been submitted on behalf of the petitioners that



there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in this case. The name of the petitioner has transpired in this case on the basis of secret information as per F.I.R. The source and genuineness of the secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 1977 liters wine is recovered from the pick up van. The petitioners are not the owners of the pick up van in question. 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, Excise Act, Madhubani in



connection with Rahika P.S. case No.71 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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