

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50749 of 2021

Arising Out of PS. Case No.-132 Year-2021 Thana- KASIMBAZAR District- Munger

1. SAKET YADAV, aged 30 about years, Gender-Male, Son of Late Bablu Yadav, Resident of Mohalla-Sandalpur, P.S.-Kasim Bazar, District - Munger.
2. LAKSHMAN YADAV, aged about 25 years, Gender-Male, Son of Anand Yadav @ Dimpal Yadav, Resident of Mohalla-Sandalpur, P.S.-Kasim Bazar, District - Munger.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Manoj Kumar Jha, Advocate
For the Opposite Party	:	Mr. Syed Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-11-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Kasim Bazar P.S. Case No. 132/2021 for the offence registered under Sections 30(a) and 32 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 20.62 liters wine is recovered from the room situated by the side of the Pump Set.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 20.62 liters wine is recovered from the room situated by the side of the Pump Set belonging to joint family of petitioner no. 1. The names of the petitioners have transpired in the present case on the basis of disclosure made by local residents. The names of the local residents, who have named the petitioners, have not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. The petitioners had no regarding the nature of goods kept in the room. 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 F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let 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) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd-cum-Special Judge, (Excise), Munger, in connection with Kasim Bazar P.S. Case No. 132/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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