

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51526 of 2021

Arising Out of PS. Case No.-199 Year-2021 Thana- GOGRI District- Khagaria

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1. GOVIND YADAV @ GOVIND KUMAR S/o- RAM RATAN YADAV
Resident of Village- Usari, P.S.- Gogari, District- Khagaria
 2. RAM RATAN YADAV Son of Late Kare Lal Yadav Resident of Village-
Usari, P.S.- Gogari, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2021 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 Gogari P.S. case No.199 of 2021, G.R. case
No.1522 of 2021 registered under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 153.750 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 the basis of disclosure made by the local residents as per F.I.R. The names of 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. It is alleged that 153.750 liters wine is recovered from Basa. 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 Special Judge, Excise, Khagaria in connection with Gogari P.S. case



No.199 of 2021, G.R. case No.1522 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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