

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18882 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- NAWADA MUFFASIL District- Nawada

1. Vijay Yadav S/O Satyendra @ Sato Yadav @ Satendra Yadav Resident of Village - Baratpura, P.S. - Mufassil, District - Nawada.
2. Jaynandan Yadav S/O Bisundeo Yadav Resident of Village - Baratpura, P.S. - Mufassil, District - Nawada.
3. Uddal Yadav S/o Musafir Yadav Resident of Village - Baratpura, P.S. - Mufassil, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 30(a)(d) of the Bihar Prohibition & Excise Act.



Learned counsel for the petitioners seeks permission to withdraw the petition with regard to petitioner Nos. 2 and 3 namely Jaynandan Yadav and Uddal Yadav since they have been arrested.

Permission is accorded.

Accordingly, the petition with regard to petitioner Nos. 2 and 3 is permitted to be withdrawn.

There is recovery of 60 litres of spirit from an abandoned hut.

It is submitted by learned counsel for the petitioner No. 1 that he was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner No. 1. Moreover, the petitioner has no concerned either with the seized article or the hut. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four



weeks from today, be released on anticipatory bail on
furnishing bail bonds of Rs. 10,000/-(Ten Thousands)
with two sureties of the like amount each to the
satisfaction of learned Additional District Judge-II-cum-
Special Judge, Nawada in connection with Muffasil P.S.
Case No. 211 of 2020, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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