

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66692 of 2021

Arising Out of PS. Case No.-242 Year-2021 Thana- MUFFASIL District- Aurangabad

1. SUDARSHAN YADAV Son of Harika Yadav Resident of Village- Pars, P.S.- Aurangabad Muffasil, District- Aurangabad.
2. Manoj Yadav Son of Harika Yadav Resident of Village- Pars, P.S.- Aurangabad Muffasil, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

Learned 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 Aurangabad Mufassil P.S. Case No. 242 of 2021 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution case, in short, is that 1267.500 liters wine is recovered.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against them. They have been falsely implicated in the present case. It is alleged that out of 1267.500 litres, 1237.500 litres wine is recovered from the pick up Van and 30 litres wine is recovered by side of a poultry farm. The pick up van does not belong to the petitioners. The poultry farm belongs to the joint family of the petitioners. The names of the petitioners have transpired in this case on the basis of disclosure made by local chowkidar. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. 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.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest/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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned learned Additional Sessions Judge-II-cum-Special
Judge, Aurangabad in connection with Aurangabad Mufassil
P.S. Case No. 242 of 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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