

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16010 of 2022**

Arising Out of PS. Case No.-538 Year-2021 Thana- RAJAOLI District- Nawada

1. UMESH YADAV @ UDAY YADAV Son of Keshar Yadav Resident of Village - Pahwachak, P.s.- Rajauli, Distt.- Nawada.
2. MUNNA YADAV Son of Umesh Yadav Resident of Village - Pahwachak, P.s.- Rajauli, Distt.- Nawada.
3. ANIL YADAV Son of Balak Yadav Resident of Village - Mohkama, P.s.- Rajauli, Distt.- Nawada.
4. NANDU YADAV Son of Balak Yadav Resident of Village - Mohkama, P.s.- Rajauli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate  
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      08-04-2022                      Heard learned counsel for the petitioners and learned APP  
for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 30(a) (d) and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 90 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 names of the petitioners have transpired on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 90 liters wine is recovered from a forest area. 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./complaint case.

Considering the aforesaid facts and circumstances, 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 Exclusive Special Excise Court-2, Nawada in connection with Rajauli P.S. Case No. 538 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

