

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16733 of 2022**

Arising Out of PS. Case No.-136 Year-2021 Thana- LAXMIPUR District- Jamui

- 
1. RAJESH KODA @ MADHVA KODA Son of Ballu Koda Resident of Village - Nawdihwa, P.S.- Laxmipur and Distt.- Jamui.
  2. Manoj Yadav @ Munna Yadav Son of Arjun Yadav Resident of Village - Tetariya, P.S.- Laxmipur and Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Akash Raj, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, 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.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 272, 273 of I.P.C. and Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 30 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 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 30 liters wine is recovered from the side of the road and motorcycle. 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 A.D.J. 2<sup>nd</sup>, Jamui in connection with Jamui P.S. case No.136/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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

