

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43534 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- DURAULI District- Siwan

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1. Gabbar Yadav @ Ramayodhya Son Of Ramayan @ Ramayan Yadav Village- Noniyatola, P.S.- Darauli, Distt.- Siwan
 2. Ramayan Yadav @ Ramayan Son Of Raghunath Yadav Village- Noniyatola, P.S.- Darauli, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-12-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Darauli P.S. Case No. 110 of 2024 registered for the offences punishable under Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 108 litres of country made liquor were recovered from the motorcycle and door of co-accused petitioner no. 1.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence as alleged against him and have falsely been implicated in the present case. Petitioners have no knowledge and concern with



the alleged recovery. Nothing incriminating has been recovered from the possession of the petitioners. It is submitted that motorcycle in question does not belong to the petitioners. There is no compliance of Section 100 Cr.P.C.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioners above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Darauli P.S. Case No. 110 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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