

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3312 of 2016

Arising Out of PS.Case No. -169 Year- 2015 Thana -BAUSI District- PURNIA

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1. Anil Kumar Yadav son of Late Kritya Nand Yadav R/o Professors Colony, Ram Bag, P.S. - Sadar, District - Purnea.
 2. Monu Yadav @ Rajesh Kumar @ Manoj Yadav son of Surender Yadav R/o Rahuwa, P.S. - K. Nagar, District - Purnea.
 3. Nitu Kumar Singh son of Shyamal Kishore Singh R/o Sahjadpur, P.S. - Udakishunganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan
For the Opposite Party/s : Mr. Sharda Kumari (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-02-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Baisi P.S. Case No. 169 of 2015, registered for offences punishable under Sections 47(a) of the Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 3 is the license holder of English Wine and has been doing his business with all proprietary. So far as petitioner no. 1 and 2, are concerned, petitioner no. 1 is the owner of the vehicle on which the liquor was being transported and petitioner no. 2 is the *Khalasi* of the aforementioned vehicle. Learned counsel for

the petitioners submits that no offence under Section 47A has been made and all that has happened is that the said vehicle took a different route to reach Jankinagar at Purnea and, therefore, it was suspected by the authorities that the liquor, which was loaded in the said vehicle, was going to be marketed in a clandestine manner.

Considering the nature of allegation made against the petitioners and that the petitioners have no criminal antecedent, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 169 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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