

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25251 of 2018

Arising Out of PS.Case No. -27 Year- 2018 Thana -HASANPUR District- SAMASTIPUR

- =====
1. Ranveer Yadav
 2. Ram Vijay Kumar Yadav @ Ranvijay Yadav Both sons of Jayjay Ram Yadav All are residents of Village - Surha Basantpur Gajipatti, P.S. - Hasanpur, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Yadav

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek anticipatory bail in connection with Hasanpur P.S. Case No. 27 of 2018 for the offences punishable under Sections 272, 273 and Sections 30(a), 38(1)(2), 41 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding the co-accused persons including the petitioners herein unloading illicit liquor from a pick up van and on the police having raided the said place, 697.92 liquor of illicit liquor was recovered, but the petitioners and others managed to flee away.

The learned counsel for the petitioners submits that neither the petitioners are the owner of the said pick up van nor any recovery has been made from conscious possession of the petitioners herein and their names have merely been roped in by



the co-accused persons. It is further submitted that the provisions of Section 100 of the Code of Criminal Procedure has not been complied with, hence the seizure itself is doubtful. It is lastly submitted that co-accused person has been granted bail by this Court vide order dated 6.4.2018 passed in Cr. Misc. No. 20404 of 2018.

Considering the nature of accusation and the fact that prima facie, no case is made out under the provisions of the Excise Act, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail.

Accordingly, in the event of 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, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II -cum- Special Judge, Excise Act, Samastipur in connection with Hasanpur P.S. Case No.27 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

