

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5512 of 2019

Arising Out of PS. Case No.-212 Year-2018 Thana- NAWANAGAR District- Buxar

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1. Santosh Yadav son of Late Bihari Yadav Resident of Village- Karsar, P.S. Nawa Nagar (Sonvarsa), District - Buxar
 2. Ashok Yadav @ Nagendra Kumar Singh son of Late Bihari Yadav Resident of Village-Karsar, P.S.- Nawa Nagar (Sonvarsa), District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 31-01-2019 Heard both sides.

The petitioners apprehend their arrest in Nawa Nagar P.S. Case No.212 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The S.H.O. of Nawa Nagar Police Station having received information about transportation of liquor intercepted a truck and the driver of the truck disclosed his name as Saheb Singh. He also disclosed that he is the owner of the truck. On search, huge quantity of Indian made foreign liquor was recovered. The driver of the truck disclosed that the consignment was to be delivered to Santosh Yadav, Ashok Yadav and Pappu Yadav.

Learned counsel for the petitioners submits that there



is no material against the petitioners. Only on mere confession of the driver-cum-owner of the truck the names of petitioners surfaced in the case but the Investigating Officer did not collect any tangible evidence about the involvement of the petitioners in transportation of the liquor.

Having considered the facts and the nature of allegation made against the petitioners and the fact that the names of these petitioners figured in the case on the basis of statement of driver but nothing has been recovered from the possession of the petitioners, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on 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 Additional Sessions Judge 2-cum-Special Judge, Excise Act, Buxar in connection with Nawa Nagar P.S. Case No.212 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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