

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7671 of 2019

Arising Out of PS. Case No.-394 Year-2018 Thana- KUCHAIKOTE District- Gopalganj

1. Jagdish Yadav, aged about 34 years, Sex-Male, Son of Randhir Singh, R/o village- Tajnagar, P.S- Farukhnagar, Dist- Gurgaon (Haryana)
2. Ashok Yadav, aged about 24 years, Sex-Male, Son of Maipal Yaadav R/o village- Daboda, P.S- Farukhnagar, Dist- Gurgaon (Hariyana)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 29.12.2018 in a case registered for the offences punishable under Sections 420, 467, 468, 414 of the Indian Penal Code and Sections 30(a) (b) (c), 38, 41(a) (b) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that two persons were intercepted while driving a swift car and from the dickey of the said car, 44.280 litres of illicit foreign liquor were recovered. Petitioner no. 1 is the owner of the vehicle in question.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been roped in the present case



and petitioners are accused in another case.

Learned APP submits that the petitioners were apprehended in intoxicated condition and recovery has also been made from the petitioners.

From the impugned order it appears that the learned Sessions Judge recorded that the petitioners have been remanded in this case on 11.01.2019 when the prosecution case is specific that the petitioners are apprehended on 29.12.2018 which suggests casual manner in which the order has been recorded.

Considering the quantity of recovery and the period under custody, let the above named petitioners be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with each two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge -cum- Special Judge, Excise, Gopalganj in connection with Kuchaykote P.S. Case No. 394 of 2018.

(Dinesh Kumar Singh, J)

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