

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19355 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- RAJGIR District- Nalanda

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1. Raushan Kumar Son of Arbind Yadav Resident of Village - Ganjpar, P.S.-
Rajgir, Distt.- Nalanda.
 2. Karan Yadav Son of Muneshwar Yadav Resident of Village - Tilhapar, P.S.-
Rajgir, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad, Advocate.

For the Opposite Party/s : Mr. Ahtasham Ali Khan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Rajgir P.S. Case No.55 of 2019 registered under Sections
272, 273, 420 and 120B of the Indian Penal Code besides
Sections 30(a)(b) of the Bihar Prohibition and Excise Act.

The accusation is that the informant being the Police
Inspector-cum-Officer Incharge of Rajgir Police Station
received telephonic information about standing of the scorio
vehicle near the house of Birendra alias Brij Yadav, Bablu Yadav
and Raushan Kumar (petitioner no.1) and unloading the illicit
liquor from the same. Thereafter the informant along with other



police officials reached there and saw that three persons were carrying the cartoons of liquor on their heads to their houses. On seeing the police party, all the three persons started to flee away, leaving the cartoons, containing the bottles of liquor. While they were chased by the police but they succeeded to flee away. Thereafter the house of Birendra alias Brij Yadav was searched and 67 bottles, each containing 750 ml. Indian Made Foreign Liquor, and 179 bottles, each containing 180 ml. Indian Made Foreign Liquor, total 82.470 liters Indian Made Foreign Liquor were recovered from there. On query, the local people disclosed that the seized liquor is of Brij Yadav and they also disclosed the name of Birendra alias Brij Yadav, Bablu Yadav, Raushan Kumar (petitioner no.1) and Karan Yadav (petitioner no.2), who succeeded to flee away.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the seized liquor is of Birendra alias Brij Yadav and the name of the petitioners, who succeeded to flee away, has been disclosed by the local people. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be



enlarged on bail on their furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the Additional Sessions
Judge-III-cum-Special Judge, Nalanda at Biharsharif, in
connection with Rajgir P.S. Case No.55 of 2019, subject to the
conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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