

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25326 of 2019**

Arising Out of PS. Case No.-235 Year-2018 Thana- SIKANDRA District- Jamui

1. Mohan Yadav, aged about 26 years, Male, Son of Karu Yadav R/O Village- Sahasram, P.S.- Sikandra, District- Jamui.
2. Raju Yadav, aged about 23 years, Male, Son of Karu Yadav R/o village- Sahasram, P.S- Sikandra. District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha

For the Opposite Party/s : Mr.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 19-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sikandra P.S. Case no. 235 of 2018 under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

576 litres of foreign liquor is said to have been recovered from the pick up van and its driver managed to escape while other accused sitting on the said vehicle namely Subodh



Pandit was apprehended who disclosed the petitioner Mohan Yadav as owner of the seized liquor and Raju Yadav as owner of the vehicle.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern with the seized liquor. They have been falsely implicated in the case. Though the petitioner Raju Yadav happens to be the owner of the vehicle but he had given the aforesaid vehicle to its driver for plying and he had no knowledge of transportation of the aforesaid liquor by its driver. It is further submitted on behalf of the petitioners that barring the disclosure made by the aforesaid accused there is nothing in the record indicating the complicity of the petitioners in the occurrence. They were not apprehended on the spot. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J-II,



Jamui in connection with Sikandra P.S. Case no. 235 of 2018,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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