

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25138 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. KAPILDEV PRASAD YADAV, Son of Biltu Yadav @ Viltu Yadav, resident of village - Bhopatpur Chaube Tola, P.S.- Kotwa, District- East Champaran
 2. Ashok Kumar, son of Badri Rai, Resident of Village - Bajhiya, P.S.- Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Amarendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 22-04-2019

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in **Excise Case No.167 of 2019** instituted for the offence under Section(s) 30(a) of Bihar Prohibition and Excise Act, 2016.

It is alleged that total 105 litres spirit was found which was kept hidden beneath the earth in the field.

Counsel for the petitioners submits that petitioners have been made accused merely on suspicion. They have clean antecedents. There is no recovery from their conscious possession.

Petitioners are in custody since 10.03.2019.



In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released 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 the **7th Additional Sessions Judge cum Special Judge, Excise, Motihari, East Champaran**, in connection with **Excise Case No.167 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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