

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26119 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Araria

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1. SHANKAR KUMAR YADAV, Son of Bhupendra Yadav @ Upendra Yadav
Resident of Ward No. 08, Chand Pipra, P.S.- Kishanpur, District- Supoul.
 2. Ashok Kumar @ Ashok Kumar Yadav, Son of Ram Prakash Yadav, Resident
of Ward No. 05, Murli, P.S.- Kishanpur, District- Supoul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravish Mr. Sanjay Kumar Sharma Mr. Kashyap Kaushal
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners seek bail in connection with Special
Case No. 370 of 2019, arising out of Excise Case No. 07
of 2019 for offences punishable under Sections 30(a) of
the Bihar Prohibition and Excise (Amendment) Act,
2016.

The prosecution case, as lodged by the excise
officials, is that a Scorpio vehicle was intercepted and 5
persons including the petitioners were apprehended. On
search, from the Scorpio vehicle 180 litres of Indian



made foreign liquor was recovered. Accordingly, a seizure memo was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that the petitioners are languishing in judicial custody since 15.03.2019 and two of the co-accused on similar allegations have been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 28899 of 2019 vide order dated 01.05.2019.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that petitioners do not bear any criminal antecedent, as stated in paragraph 3 of this application, let petitioners, above named, 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 2nd Addl. Sessions Judge cum Special Judge, Araria, in connection with Special Case No. 370 of 2019, arising out of Excise Case No. 07 of 2019, subject to the condition that one of



the bailors would be a close relative of the petitioners
having sufficient immovable property, who will file an
affidavit stating his relationship with the petitioners.

(Nilu Agrawal, J)

Rajesh/-

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