

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71695 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- BAKHTIARPUR District- Saharsa

1. Manoj Yadav Son of Dhodhaya Yadav
2. Madan Yadav Son of Bino Yadav @ Bindeshwari Yadav Resident of Village - Saraunja Kopariya, P.S.- Kopariya, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 25-11-2019 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under sections
30(a) and 41(i) of Bihar Prohibition and Excise Act, 2016.

Counsel for the petitioners submits that petitioners have
no criminal antecedent. It is further submitted that recovery of
liquor was done in April, 2019 and after three months, they have
been apprehended on 21.07.2019 on the basis of identification
done at night as per statement made in the F.I.R.

It is submitted by counsel for the petitioners that
petitioners have no connection with recovery and have falsely
been implicated in this case.

Learned A.P.P. opposes the prayer for bail.



Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Saharsa in Special case no. 170/2019 arising out of Bakhtiyarpur P.S. Case no. 149/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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