

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68140 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- SIKRAUL District- Buxar

1. Satyendra Yadav @ Satyendra Kumar Son of Shiv Kumar Yadav R/o P.O.- Sikraul Lakh, Akraura, P.S.- Sikraul, Buxar.
2. Vikas Yadav @ Vikas Kumar Yadav Son of Gopal Singh Yadav P.O.- Khandricha, P.S.- Sikraul, Dubauli, Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayuri, Advocate.

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 06-11-2019 Learned counsel for the petitioners submits that petitioner no. 2, namely, Vikash Yadav @ Vikas Kumar Yadav, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.2.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn with respect to petitioner no.2.

Heard learned counsel for the petitioner no.1 and the learned A.P.P. for the State.

The petitioner no.1 apprehends his arrest in connection with Sikraul P.S. Case No. 81 of 2019, registered under Section 30(a) of the Bihar Excise Act.

The accusation is of recovery of seven cartoons



containing 984 bottles of 180 ml Indian made foreign liquor from the open space. On seeing the police party, some persons succeeded to flee away but the local Choukidar identified two persons, namely, Satendra Yadav (petitioner no.1) and Vikash Yadav, who succeeded to flee away.

Learned counsel for the petitioner no.1 submits that it would appear from the F.I.R. that petitioner no.1 was not apprehended at the spot rather he was identified by the local choukidar due to dirty village politics. Further submission is that petitioner no.1 has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner no. 1 be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Additional Sessions Judge-II, Buxar, in connection with Sikraul P.S. Case No. 81 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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