

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67431 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- DURAULI District- Siwan

Rakesh Kumar Yadav @ Kranti Yadav @ Rakesh Yadav Son of Umesh Yadav
@ Umesh, Resident of Village - Sultanpur Dahabari, P.S.- Andar, District-
Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks bail in connection with
Darauli P.S. Case No.139 of 2019, registered for the offence
under Sections 272, 273, 420, 120(B) of the Indian Penal
Code and Sections 30(a), 38(i) of the Bihar Prohibition and
Excise Act, 2016.

Accusation is that on receiving secret information
that some persons were unloading foreign liquor from a
truck in village-Balhu, the informant along with other
police personnel reached the place of occurrence, where a
truck was seen standing and 6-7 persons were seen
unloading liquor from truck and keeping in Bolero vehicle.



After chase, two persons, namely, Ranjan Kumar Singh and Ankit Kumar Yadav were apprehended and on search 1869 bottles of 200 ml from the Bolero vehicle and 253 cartoon containing 11385 bottles of 200 ml of liquor were seized from truck.

Submission is that the petitioner was not apprehended on the spot, from where huge quantity of loquor is said to be recovered, rather the name of the petitioner and four others were disclosed by co-accused Ranjan Kumar Singh and Ankit Kumar Yadav, who are said to be apprehended at the spot. Further submission is that in fact, the petitioner is also accused in Andar P.S. Case No.148 of 2019 under Section 30(a) of Bihar Prohibition and Excise Act showing his name in the confessional statement of co-accused, which fact has been mentioned in paragraph-3 of the petition The petitioner is remanded from Andar P.S. Case No.148 of 2019 on 13.09.2019 and since then he is in custody.

Having considered the facts and circumstances of the case, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with



two sureties of the like amount each to the satisfaction of
learned 2nd Addl. Sessions Judge-cum-Special Judge,
Excise, Siwan in connection with Darauli P.S. Case No.139
of 2019.

(Rajendra Kumar Mishra, J.)

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