

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73782 of 2019

Arising Out of PS. Case No.-260 Year-2019 Thana- BARAULI District- Gopalganj

1. DHARMENDRA YADAV,
2. Subash Yadav, both are Son of Ram Nath Yadav @ Chirkut Yadav, Resident of Village - Koinee, P.S. - Manjhagarh, District - Gopalganj
3. Vijay Yadav @ Vijay Jee, Son of Shivjee Yadav, Resident of Village - Madhusreya, P.S. - Manjhagarh, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, 5616 litres of India made foreign liquor was recovered and two accused persons, namely, Mahendra Singh, the owner of the vehicle and one Jugraj Singh were arrested. The name of the petitioners transpired on confession of the said accused before police. It was stated by them that the petitioners and others were escorting the truck in a separate vehicle and on seeing that the truck had



been stopped by the police, they escaped.

It is submitted by learned counsel for the petitioners that the allegation as levelled in the FIR are false and concocted. No recovery of any incriminating has taken place from possession of the petitioners nor they were arrested at the spot. It is further submitted that the petitioners have no criminal antecedent.

In view of the facts and circumstances stated hereinabove, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-2nd-cum-Special Judge, Excise, Gopalganj in connection with Barauli Police Station Case No. 260 of 2019, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

Kundan/-

U		T	
---	--	---	--

