

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76310 of 2019

Arising Out of PS. Case No.-429 Year-2019 Thana- BARACHATTI District- Gaya

1. PRAMOD KUMAR Son of Madheshwar Yadav
2. Raju Yadav Son of Madheshwar Yadav
3. Bablu Kumar Son of Nand Keshwar Yadav
All are resident of Village - Invorwa, P.S.- Barachatti, District- Gaya
4. Raj Kumar Yadav Son of Late Parmeshwar Yadav, Resident of village Garvia, P.S. Barachatti (Mohanpur). Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners have been in custody since 16.09.2019 in connection with Barachatti (Mohanpur) P.S. Case No. 429 of 2019 registered for the offence punishable under Sections 414/34 of the Indian Penal Code and Section 30(d) of the Bihar Excise Prohibition Act, 2016.

Learned counsel for the petitioners submits that carrying of Mahua flowers is an item which comes under the Excise Act was not to the knowledge of the petitioners and thus it is submitted that the alleged recoveries from the motorcycle bag were not from the conscious possession. So far as the allegation of Section 414 IPC against the petitioners are concerned, since the papers of the motorcycle



were not available, the same said allegation has been saddled on their shoulders.

In view of the aforementioned facts and circumstances and the petitioner Nos, 2, 3 and 4 have no criminal antecedents, but petitioner No. 1 is having one other criminal antecedents, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 429 of 2019.

(Anjana Mishra, J)

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