

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79720 of 2019

Arising Out of PS. Case No.-295 Year-2019 Thana- AURANGABAD TOWN District-
Aurangabad

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1. MANTU YADAV Son of Hari Narayan Yadav Resident of Village - Chatara, P.S.- Fesar, Distt - Aurangabad.
 2. Chandan Kumar Son of Naresh Singh Resident of Village - Chatara, P.S.- Fesar, Distt - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Singh Mr. Abhishek Kumar Singh
For the State	:	Mrs. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 13-12-2019 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Aurangabad Town P.S. Case No. 295 of 2019 for the offence registered under Section 30(a) of the Bihar Excise Act.

The allegation is regarding recovery of 466 litres of illicit liquor from a Bolero vehicle and when the driver was arrested and interrogated by the Police, he disclosed that the petitioner no. 1 is the person to whom delivery of illicit liquor was to be made. It is further alleged that the said apprehended person had further given a mobile number of the contact person and the same is stated to be existing in the name of the



petitioner no. 2.

The learned counsel for the petitioners has submitted that neither any recovery has been made from the petitioners nor from their house nor the vehicle in question belongs to them, hence the provisions of the Bihar Prohibition and Excise Act, are not attracted. Lastly, it is submitted that the petitioners are having clean antecedents and they have been falsely implicated in the present case.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Session's Judge-VII-cum-Special Judge (Excise), Aurangabad in connection with Aurangabad Town P.S. Case No. 295 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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