

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81304 of 2019

Arising Out of PS. Case No.-381 Year-2019 Thana- BARHARA District- Bhojpur

1. MAHESH YADAV, aged about 32 years, Male, Son of Nemdhari Yadav, Resident of Village- Hari Ke Tola, P.S.- O.P. Khawaspur (Barhara), District- Bhojpur
 2. Sugriv Yadav, aged about 26 years, Male, Son of Raghunath Yadav, Resident of Village- Hari Ke Tola, P.S.- O.P. Khawaspur (Barhara), District- Bhojpur
 3. Bhual Yadav, aged about 32 years, Male, Son of Raghunath Yadav, Resident of Village- Hari Ke Tola, P.S.- O.P. Khawaspur (Barhara), District- Bhojpur
- ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Dharmesh Kumar Shrivastava, Adv.
For the Opposite Party : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek bail in connection with Excise Case No. 2181 of 2019, arising out of Barhara P.S. Case No. 381 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of night patrolling duty, the informant, along with other police personnel, reached near Mahulighat at the bank of river Ganga, then, heard the noise of some persons. On flashing the torch, five persons were seen there, one motorcycle was also parked on which one carton was tagged. On seeing the police party, all started to flee away,



but, three persons (petitioners) apprehended. On query, they disclosed the names of two others succeeded in fleeing away, Rakesh Yadav and Anil Yadav. Eight plastic bags were also seized there. On search, 1802 bottles, each of 180 ml and another bag containing 48 bottles each of 180 ml of Indian made foreign liquor recovered.

Submission is that all the three petitioners were passing through the bank of river and mere on suspicion they have been implicated in this case. The petitioners have no criminal antecedent and are in custody since 27.10.2019.

Having regard to the facts and circumstances of the case, let the petitioners, above named be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Excise Case No. 2181 of 2019, arising out of Barhara P.S. Case No. 381 of 2019 to the satisfaction of the Additional Sessions Judge IV-cum-Special Judge, Excise, Bhojpur at Ara.

(Rajendra Kumar Mishra, J)

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