

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81748 of 2019

Arising Out of PS. Case No.-339 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. RAJESH YADAV Son of Bhuteli Yadav Resident of Village - Madhusareya,
P.S.- Manjhagarh, Distt - Gopalganj.
 2. Vijay Yadav Son of Shivji Prasad Yadav Resident of Village - Madhusareya,
P.S.- Manjhagarh, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2019 Heard learned counsels for the parties.

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

The prosecution case is that the informant Ranjan Prasad being Excise Inspector got a secret information with regard to the trafficking of liquor whereafter a raid was laid in village Vaishahi. Ten persons escaped from the scene when



from a truck, 8553.600 litres Indian Made Foreign Liquor were recovered.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion the petitioners have been roped in the present case. The petitioners have no connection with the truck in question from which recovery has been made. Statement to that effect has been made in paragraph 9 of the petition. Further statement has been made in paragraph 3 of the petition that the petitioner no.2 is not having any criminal antecedent but petitioner no. 1 is accused in one other case of similar nature.

Learned APP submits that the petitioners are involved in trafficking of liquor.

Considering the suspicious nature of accusation and prima facie the recovery has not been made from the conscious physical possession of the petitioners, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II, Gopalganj, in connection with Excise Case No. 339 of 2019 subject to the conditions



laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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