

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16558 of 2020

Arising Out of PS. Case No.-7 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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1. JANARDAN YADAV Son of Ram Chhabila Yadav Resident of Madhav Kothi Labar, P.S.- Jataha Bazar, District- Kushi Nagar (U.P.)
 2. Duryodhan Sah Son of Haribansh Sah Resident of Chankuhwa, P.S.- Piprari, District- Bettia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-05-2020 Heard the learned counsel for the petitioners

and the State.

The petitioners seek bail in connection with

Excise Case No. C-III-7/2020 instituted for the offence

under Section 30(a) of the Bihar Prohibition and Excise

Act, 2016.

It appears that one of the petitioners was the

driver of the pick-up van whereas the other was a

passenger in the said vehicle, from where 1589.760 litres

of liquor was recovered. Some of the other accused persons



sitting in the vehicle could manage to flee away.

Learned counsel for the petitioners submits that the petitioner, who was driving the vehicle did not know that the liquor so recovered was being transported by the other accused persons in the said vehicle.

The another person / petitioner, who was arrested, was actually a gratuitous passenger.

The proof of the petitioners being innocent, it has been urged, can be derived from the fact that there has not been any prosecution against the petitioners so far before the present case.

The petitioners are stated to be in custody since 10.01.2020.

Considering the aforesaid facts, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ-II cum Special Judge, Excise, Siwan in connection with



Excise Case No. C-III-7/2020.

(Ashutosh Kumar, J)

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