

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21157 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

1. UMESH YADAV @ ASHOK YADAV Son of Late Hawaldar Yadav
Resident of Village- Sherpur, P.S.- Buxar Industrial, District- Buxar.
2. Bhikhari Kumar Yadav @ Bhikhari Yadav Son of Bhrigunath Singh
Resident of Village- Haroja, P.S.- Sikraul, District- Buxar.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Ravi Shankar Pathak, Advocate.
For the State	:	Mr. M.K. Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 29-06-2020 In view of the submission and the undertaking of the learned counsel for the petitioners, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 25.06.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners seek bail in connection with Buxar Muffasil P.S. Case No.63 of 2020 registered under Sections 290/34 of the Indian Penal Code besides Section 30(a) of the



Bihar Prohibition and Excise Amendment Act, 2018.

The accusation is that in course of patrolling duty and checking of the vehicles, the informant along with other police personnel, on receiving the secret information about arrival of the pickup van loaded with illicit country made liquor at Chausa Durga Temple, reached near the petrol pump and saw a pickup van bearing Registration No.U.P.67T-9028 in parking condition there. On seeing the police party, three persons started to flee away but, on chase, one was apprehended, who disclosed his name as Umesh Yadav alias Ashok Yadav (petitioner no.1). On search of the aforesaid pickup van, 5109 bottles of liquor in the volume of 919.620 liters were recovered. The caught hold person (petitioner no.1) disclosed the name of his associates as Bhikhari Kumar Yadav (petitioner no.2) and Jitendra Yadav, who succeeded to flee away.

Learned counsel appearing on behalf of the petitioners submits that the petitioners have no criminal antecedents. The petitioner no.1, who is said to be apprehended by the police, is in custody since 21.02.2020, whereas the petitioner no.2, whose name has come in the confessional statement of the petitioner no.1, is in custody since 28.04.2020.

Having regard to the facts and the circumstances of



the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge Excise at Buxar, in connection with Buxar Muffasil P.S. Case No.63 of 2020.

(Rajendra Kumar Mishra, J)

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