

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 22557 of 2020

Arising Out of PS. Case No.64 Year-2020 Thana- Baisi District-Purnea

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1. Ram Lagan Yadav @ Ram Lagan, aged about 34 years (M) Son of Ram Vilas Yadav, resident of village Aura, P.S. Hasanpur District Samastipur
 2. Rahul Kumar @ Abhishek Kumar aged about 18 years (M), Son of Sri Vinod Kumar Kushwaha @ Vinod Mahto, resident of village Atapur, P.S. Hasanpur and District Samastipur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Amit Kr. Anand, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMARUPADHYAY
ORAL ORDER

2 01-09-2020 Heard learned counsel appearing on behalf of the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Special Excise Case No. 134 of 2020 arising out of Baisi P.S. Case No. 64 of 2020 for the offences under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

In the instant case total 851.760 litres of foreign liquor was seized.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. Learned counsel submits that petitioner no. 2 is passenger of the pick-up van and he is neither owner nor driver of the vehicle. From the possession of the petitioners, nothing was recovered. Petitioners



are in custody since 09.03.2020.

Considering the fact that the petitioners have no criminal antecedents and they have remained in custody for nearly six months, the Court is inclined to grant bail to them subject to the condition that the petitioners have to deposit Rs. 25,000/- in cash. On depositing the amount of Rs.25,000/-, the petitioners, named above, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions-cum-Special Judge Excise, Purnea in connection with Special Excise Case No. 134 of 2020 arising out of Baisi P.S. Case No. 64 of 2020.

Deposit of Rs.25,000/- (Rupees twenty five thousand) shall abide by final outcome of the instant criminal case.

(Anil Kumar Upadhyay, J)

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