

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26416 of 2020

Arising Out of PS. Case No.-27 Year-2019 Thana- NADI NAINAHA District- West
Champanan

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1. Bimlesh Sah @ Bimlesh Kumar Gor @ Bimlesh Kumar Gond, aged about 25 years, male, S/o Shankar Sah
 2. Mukesh Yadav, aged about 23 years, male, S/o Shobhi Yadav
Both are resident of Village-Bagahawa, P.S.-Dhanha, District-West Champanan.
 3. Mohit Yadav @ Mohit Kumar Yadav, aged about 30 years, male, S/o Ramanand Yadav, resident of Village-Nawalpur, P.S.-Nawalpur, District-West Champanan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 21-10-2020 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioners and learned APP for the State.

The learned counsel for the petitioners seeks

permission to withdraw the applications with respect to

petitioner Nos. 1 and 2 as they have been arrested.



Permission is accorded.

The applications with respect to petitioner Nos. 1 and 2, viz., Bimlesh Sah @ Bimlesh Kumar Gor @ Bimlesh Kumar Gond and Mukesh Yadav, are dismissed as withdrawn.

The petitioner No. 3/Mohit Yadav @ Mohit Kumar Yadav seeks bail in anticipation of his arrest in connection with Nadi P.S. Case No. 27 of 2019, dated 30.11.2019, instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It appears that petitioner No. 3 and two others were moving on their motorcycles and there was suspicion that they were carrying liquor with them. On seeing the police party, all the three accused persons including petitioner No. 3, left their motorcycles. From the three motorcycles which were found abandoned, 7.20 litres of liquor was recovered.

Nothing has been recovered from the personal/conscious possession of petitioner No. 3.

No motorcycle which was found abandoned at the



place of the occurrence belongs to petitioner No. 3.

The petitioner No. 3 claims to be a person of clean antecedents.

Regard being had to the facts afore-stated, the petitioner No. 1/Mohit Yadav @ Mohit Kumar Yadav, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Nadi P.S. Case No. 27 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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