

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24401 of 2020**

Arising Out of PS. Case No.-107 Year-2020 Thana- BELHAR District- Banka

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1. JABAHAR YADAV @ JAVAHAR YADAV S/o Radheshyam Yadav  
Residence of Village-Tetariya, P.S.-Palajori, District-Deoghar (Jharkhand).
  2. Santosh Kumar @ Santosh Kumar Yadav S/o Suchit Yadav Residence of  
Village-Saraiyabasopur, P.S.-Mohampur, District-Deoghar (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      29-09-2020                      Heard Mr. Vibhakar Kumar, learned counsel for the  
  
petitioners and Ms. Indu Kumari Srivastava, learned Additional  
  
Public Prosecutor appearing for the State through video  
  
conferencing.

Petitioners seek regular bail in connection with Belhar  
P.S. Case No. 107 of 2020 registered for the offences punishable  
under Section(s) 30(a) and 32(2) of Bihar Prohibition and  
Excise Act, 2018.

The allegation against the petitioners as per the  
First Information Report is that the Police intercepted a red  
colour Hundai car bearing registration No. WBCC 1567,  
however, on seeing the Police party two persons sitting in the



car tried to flee away, but they were nabbed by the Police. The Police recovered a total quantity of 90 litres of illicit foreign liquor from the said car.

Learned counsel for the petitioners submits that petitioner No. 1 is not the owner of the vehicle in question and he was driving the car as a driver whereas petitioner No. 2 is brother-in-law of the petitioner No. 1. Learned counsel further submits that the petitioners have got no criminal antecedents and they are in custody since 21.03.2020 and charge sheet has already been submitted in this case.

Having regard to the submissions made by the parties and taking into consideration the materials on record and also the fact that petitioners have got no criminal antecedents and they are in custody since 21.03.2020, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Banka, in connection with Belhar P.S. Case No. 107 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding



lockdown and social distancing.

(Anil Kumar Sinha, J)

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