

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14112 of 2021

Arising Out of PS. Case No.-244 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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1. BINOD YADAV @ VINOD YADAV Son of Late Baleshwar Yadav Resident of Village- Tulsi Tol, Paharpur, Ward No.04, P.S. Ballia, Distt- Begusarai
 2. MD SADDAM Son of Md. Azim Resident of Village- Kharik, Ward No.02, P.S.- Kharik Bazar, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Uma Nath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-07-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Excise Complaint Case No. 244C2 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, both the petitioners were taken into custody while they were taking out goods from a Bolero vehicle in front of the house of the petitioner no.1. On search 198 litres of IMFL was recovered from the said Bolero vehicle.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the person or possession of the petitioners who have been falsely implicated in the case under a misunderstanding. They have no concern with the seized article nor with the Bolero vehicle. They are in custody since 14.12.2020 and have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners not having any criminal antecedent, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Excise Complaint Case No. 244 C2 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II, Begusarai – cum – Special Judge, Bihar Prohibition and Excise Act, Begusarai.

(Partha Sarthy, J)

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