

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31457 of 2020

Arising Out of PS. Case No.-127 Year-2017 Thana- BANKA District- Banka

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1. SONU YADAV @ SONU KUMAR Son of Mantu Yadav Resident of Village - Salarpur, P.S.- Parbatta, Dist.- Khagaria
 2. Ajit Yadav @ Ajit Kumar @ Sujit Kumar Son of Arjun Yadav Resident of Village - Salarpur, P.S.- Parbatta, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-01-2021 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Banka (Barahat) Police Station Case No. 127 of 2017, disclosing offence under Sections 30(a)/35(c) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is that the Police intercepted one Bolero vehicle and recovered a total quantity of 1088 bottles of illicit liquor and also apprehended two persons sitting inside the Bolero vehicle and the arrested co-accused persons disclosed the name of the petitioners and others.



Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case and they have not committed any offence in the manner alleged. He, referring to paragraph 6 of this application, submits that the petitioners are neither the owner or the driver of the Bolero vehicle nor any illicit liquor has been recovered from their conscious possession or the vehicle belonging to them. He further submits that the petitioners have got no criminal antecedent and similarly situated co-accused person, namely, Ramdeo Kumar @ Mantu, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 21.10.2020, passed in Criminal Misc. No. 27238 of 2020.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that no illicit liquor has been recovered either from the conscious possession of the petitioners or the vehicle belonging to them and similarly situated co-accused person has been granted bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of



four weeks from today, be released on 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 2nd Additional Sessions Judge, Banka, in connection with Banka (Barahat) Police Station Case No. 127 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. 1.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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