

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34834 of 2020

Arising Out of PS. Case No.-439 Year-2020 Thana- BAGHA District- West Champaran

1. ANAND SRIVASTAV Son of Gorakh Srivastav Resident of Village - Manjharia, P.S.- Bhairoganj, District - West Champaran
2. Guddu Srivastav Son of Upendra Srivastav Resident of Village - Manjharia, P.S.- Bhairoganj, District - West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava
For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 15-04-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Bagaha Bhairoganj P.S. Case No. 439 of 2020, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accusation is that in course of patrolling duty, three persons were seen on a motorcycle having sack, then informant along with other Police personnel gave signal to stop the said motorcycle, but they accelerated the speed of the motorcycle. On chase, all the three persons managed to escape leaving the motorcycle along with sack. On search of sack, 42



pouches, each containing 500 ML country made liquor and a silver colour TVS motorcycle without registration number also recovered. The persons present there disclosed that Ekram Akram, Anand Srivastav (petitioner No.1) and Guddu Srivastav (petitioner No.2) were indulged in carrying the liquor.

Learned counsel for the petitioners submits that both the petitioners have no criminal antecedent and neither the petitioners nor their family members are the owner of the seized motorcycle, which is detailed in paragraph-4 of the supplementary affidavit.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Bagaha Bhairoganj P.S. Case No. 439 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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