

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.643 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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1. ANDESH KUMAR Son of Rajnandan Yadav Resident of Village - Harti, P.s.- Marowna, Distt.- Supaul.
 2. RABINDRA YADAV Son of RAJALAL YADAV Resident of Village - Badiyani, P.S.- Loakhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyajeet Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 26-03-2021 Heard Mr. Priyajeet Pandey, learned counsel for the petitioners and Mr. Nawal Kishore Prasad, learned Additional Public Prosecutor appearing for the State.

Petitioners seek regular bail in connection with Excise Case No. 268 of 2020, registered for the offence punishable under Section Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, one Wagon-R car was intercepted by the Excise Officials and a total quantity of 232 litres of Beer was recovered from the same.

Learned counsel for the petitioners submits that



the petitioners have falsely been implicated in this case with oblique motive and they have not committed any offence in the manner alleged. Learned counsel further submits that the petitioners have got no criminal antecedents and at the time of search and seizure, the procedure prescribed under the Excise Act as well as Section 100 Cr. P.C. have not been followed. Learned counsel next submits that the petitioners are in custody since 5.10.2020 and the prosecution report has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 5.10.2020 having no criminal antecedents, 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, Gopalganj, in connection with Excise Case No. 268 of 2020.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding
social distancing.

(Anil Kumar Sinha, J)

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