

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40452 of 2020

Arising Out of PS. Case No.-238 Year-2020 Thana- GOPALPUR District- Gopalganj

1. ANUJ KUMAR PANDEY Son of Ajay Pandey Resident of Village - Barkagoan, P.S.- Mirganj, District - Gopalganj.
2. Ritesh Yadav @ Nitesh Yadav Son of Subash Yadav Resident of Village - Barkagoan, P.S.- Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-03-2021 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Gopalpur Police Station Case No. 238 of 2020, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation, as per the First Information Report, is that the police intercepted one Swaraj tractor with trolley, on which three persons were travelling and recovered 273.4 litres of illicit liquor from the same.

Learned Counsel for the petitioners submits that the petitioners have got no criminal antecedent and referring to



paragraph 6 of this application, he submits that the petitioners are neither the owner of the tractor nor the trolley. He next submits that the illicit liquor has not been recovered from the conscious possession of the petitioners and they are in custody since 01.10.2020 and charge sheet has been submitted against the petitioners, as such, there is no likelihood of the petitioners being abscond or tamper with the evidence.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioners are in custody since 01.10.2020, having no criminal antecedent and charge sheet has been submitted against them, I am inclined to grant regular bail to the petitioners.

This application is allowed.

Accordingly, let the petitioners, above named, be released on bail, upon 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 -cum- Special Judge, Excise, Gopalganj, in connection with Gopalpur Police Station Case No. 238 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

