

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1160 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- MADANPUR District- Aurangabad

1. MAHENDRA YADAV S/O BUDHAN YADAV RESIDENT OF VILLAGE-LAXMAN BIGHA, P.S.-DADANPUR, DISTRICT-AURANGABAD (BIHAR).
2. ABHILESH KUMAR S/O MAHENDRA YADAV R/O VILLAGE-PLAXMAN BIGHA, P.S.-DADANPUR, DISTRICT-AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-08-2021 Heard the learned counsel for the petitioners and

the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Madanpur P.S. Case No. 150 of 2020 instituted for the offence under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

According to the First Information Report, the informant learnt that the petitioners who are father and son amongst themselves along with others are heavily engaged in the trade of liquor. A raid was conducted in which a car and a motorcycle were seized. 350 litres of liquor is said to



have been recovered from the aforesaid vehicles. The informant has alleged that he has every reason to suspect that the vehicles as also the seized liquor belongs to the petitioners.

Learned counsel for the petitioners has submitted that they have falsely been made accused in this case because of the machinations of the local police. The petitioners have never been made accused in any case much less a case of this kind. They do not have any concern either with the vehicles or with the seized liquor.

On these facts, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioners. .

For the reasons afore-stated, the petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned



Additional District and Sessions Judge-VII-cum- Spl. Judge,
Excise, Aurangabad, in connection with Madanpur P.S. Case
No. 150 of 2020, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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