

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5245 of 2021

Arising Out of PS. Case No.-288 Year-2020 Thana- MANJHI District- Saran

1. Basant Yadav Son of Jagnarayan Yadav @ Jagnarayan Singh Resident of Village - Dumraon, P.S.- Dumraon, District - Buxar.
2. Jitendra Kumar Patel Son of Lal Mohan Choudhary Resident of Village - Mataliya Neem, Dharam Rai Ke Gali, P.S.- Dumraon, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2021 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Manjhi P.S. Case no.288 of 2020 registered under section 30, 30(a) and 38(1)(2) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., 128.910 litres of IMFL was recovered from the pick up van in which the petitioners were travelling.

It is submitted by learned counsel for the petitioners that no recovery as alleged has taken place from their person or possession. They have no concern with the pick up



van. They are neither the driver nor the owner of the vehicle. They are in custody since 22.9.2020 and have no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the period in custody together with the petitioners not having any criminal antecedent, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Manjhi P.S. Case no.288 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District and Session Judge-cum-Special Judge, Excise Act, Saran.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

