

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5992 of 2021**

Arising Out of PS. Case No.-67 Year-2019 Thana- BUXAR INDUSTRIAL District- Buxar

1. AWADHESH YADAV @ JHUNNU @ DHUNNU @ DHANNU Son of Shivvachan Yadav,
2. Jai Prakash Gupta, Son of Hiralal Gupta @ Hiralal Sah,
Both Residents of Majharia, P.S.-Buxar (I), District-Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar
For the Opposite Party/s : Mr.Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 15-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and have falsely been implicated in this case. There is no recovery from the conscious



possession of the petitioners, rather there is recovery of total 86.4 liters of foreign liquor from the motorcycle and the said motorcycle belongs to the petitioner no.2. After apprehending the petitioner no.2, he disclosed the name of petitioner no.1. The petitioner no.1 is languishing in custody since 31.08.2020 and petitioner no.2 is languishing in custody since 21.07.2020. The petitioners have got one criminal antecedent each for the same offence which is mentioned in para 3 of the bail application.

Learned APP for the State opposed the bail petition.

Petitioners are agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) each in the PM Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Considering the aforesaid facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Excise Case No.403/2019 arising out of Buxar (I) P. S. Case No.67/2019.

The bail bonds of the petitioners shall be accepted by



the learned Court below on showing receipt of deposit of
Rs.10,000/- (Rupees Ten Thousand) each in the PM Cares fund.

(Anjani Kumar Sharan, J)

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