

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6017 of 2021

Arising Out of PS. Case No.-378 Year-2020 Thana- KOTWA District- East Champaran

1. Akhilesh Kumar @ Akhilesh Kumar Yadav Son of Indrajeet Ray Resident of Village - Koirgawa, P.S.- Kotwa, District - East Champaran.
2. Virappan Kumar Son of Indrajeet Ray Resident of Village - Koirgawa, P.S.- Kotwa, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 02-11-2021 Heard Mr. Umesh Chandra Verma, learned Advocate for the petitioners and Mr. Tapeswar Sharma, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kotwa P.S. Case No. 378 of 2020 dated 20.10.2020 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

It appears from the prosecution report that 33.200 litres of liquor was recovered from the hut of one Abhay Kumar. Though the petitioners have been named in the FIR but they have been shown as having fled away from the place of raid. No recovery, it has been urged, has been made from the constructive possession of the petitioners.



The petitioners do not have criminal antecedents.

They have no concern with the affairs of Abhay Kumar, co-accused from whose hut there has been recovery of liquor.

Regard being had to the aforestated facts, the petitioners 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 their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Kotwa P.S. Case No. 378 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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