

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57185 of 2021**

Arising Out of PS. Case No.-150 Year-2021 Thana- KHODAWANDPUR District- Begusarai

ASHOK KUMAR YADAV @ ASHOK YADAV Son of Bhuneshwar Yadav
R/V- Bari Jana, P.S. - Dhodawandpur (Chhourahi O.P.), District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6929 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- KHODAWANDPUR District- Begusarai

SHIV PUKAR MAHTO @ SHIV KUMAR MAHTO SON OF LATE
PRABHU MAHTO @ PRABHU MAHTO R/O VILLAGE- CHAKWA,
WARD NO.13, P.S.- KHODAWANDPUR, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57185 of 2021)

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 6929 of 2022)

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 06-04-2022 Heard learned counsel for the parties.

The two petitioners in the two applications have prayed for grant of regular bail in connection with Khodawandpur P.S. Case no. 150 of 2021 registered under sections 120B, 414, 465 and 477 of the Indian Penal Code and sections 30(a) and 41(i) of the Bihar Prohibition and Excise



Act, 2016.

As per the prosecution case, on secret information having been received that Mukesh Paswan and Ashok Yadav (petitioner) had got huge quantity of liquor with the assistance of Shiv Kumar Mahto and others, it is stated that a raid was conducted and a total of 2065.320 litres of liquor was recovered from the container while 352.80 litres of liquor was recovered from the Bolero vehicle. The accused persons managed to escape.

It is submitted by learned counsel appearing for the petitioners that the petitioners have been falsely implicated in the case. Neither they were arrested at the spot nor any incriminating article has been recovered from their possession. They are in custody since 19.7.2021 and 1.12.2021 respectively and they have no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case specially the petitioners not having been arrested at the spot and not having any criminal antecedent, both the petitioners are directed to be enlarged on bail in connection with



Khodawandpur P.S. Case no. 150 of 2021 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 Additional District & Sessions Judge 2nd – cum – Special Judge (Excise), Begusarai.

(Partha Sarthy, J)

Spd/-

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