

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19316 of 2021

Arising Out of PS. Case No.-439 Year-2020 Thana- MASAUDHI District- Patna

1. BINDU YADAV SON OF LATE BABU RAM RESIDENT OF VILLAGE- JILAI BIGHA, P.S- MASAUHRI, DISTRICT- PATNA
2. KAUSHAL YADAV SON OF LATE BABU RAM RESIDENT OF VILLAGE- JILAI BIGHA, P.S- MASAUHRI, DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinav Ashok

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-03-2022 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 Masaurhi P.S. Case No. 439 of 2020 instituted for the offence under Sections 30(d)/30(a) of the Bihar Prohibition and Excise Act, 2018.

70 litres of locally brewed liquor is said to have been recovered from a field. It was informed to the police party that such liquor was stored by the petitioners and others who have been indulging in trade of liquor in an unauthorized manner.



The learned counsel for the petitioners has submitted that the accusation is based only on suspicion and that the place of recovery does not belong to the petitioner. He further submits that he has no criminal antecedents.

On these grounds, it has been urged that the offence under the Excise Act cannot at all be said to have been made out against him.

For the reason 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 Special Judge Excise, Patna, in connection with Masaurhi P.S. Case No. 439 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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