

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.36948 of 2021

Arising Out of PS. Case No.-305 Year-2020 Thana- BAUNSI District- Banka

-
-
1. Sandeep Yadav Son Of Luro Yadav Resident Of Village - Sararpur, P.S.- Parbatta, Distt.- Khagaria.
 2. Mukesh Kumar Sharma Son Of Madhuri Sharma Resident Of Village - Sararpur, P.S.- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 32 of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on suspicion, a Scorpio vehicle was chased and the vehicle was nabbed from which three persons managed to escape and one accused was arrested, who disclosed his name as Jyotish Sharma. It is next alleged that on search of the vehicle, 117 litre of illicit liquor was recovered from the seized Scorpio vehicle.

The learned counsel for the petitioners submits that petitioners were not apprehended from the spot nor they are the



owner and driver of the vehicle and their name came in the confessional statement of co-accused which has no evidentiary value. It is next submitted that from perusal of the allegation, it would manifest that nothing was recovered from their conscious possession.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 2,000/- (Rupees Two Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bounsi P. S. Case No.305 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

