

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41152 of 2022

Arising Out of PS. Case No.-106 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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1. KAPILDEV SHANKAR @ KAPILDEV YADAV AND ANOTHER Son of Late Bhumi Yadav Resident of Village - Chhoti Bandehra, P.s.- Pasraha, Distt.- Khagaria.
 2. Subodh Yadav Son of late Bhumi Yadav Resident of Village - Chhoti Bandehra, P.s.- Pasraha, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

951.435 of foreign liquor and 36 litres of Codin cough syrup has been recovered from the place of occurrence. The apprehended accused is said to have disclosed the name of the petitioners that the petitioners are involved in the trade of illicit liquor.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got



no criminal antecedent as stated in paragraph-3 of the bail application. The apprehended accused disclosed the name of the petitioners. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioners are agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) each in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, 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 learned Special Judge, Excise Act, Khagaria in connection with Excise Case No.106C3/2020, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.
- (ii) The petitioners shall not indulge themselves in any



similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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