

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48467 of 2023

Arising Out of PS. Case No.-35 Year-2023 Thana- NADI District- Supaul

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1. Shibu Yadav @ Amod Kumar Yadav @ Shibo Yadav @ Amud S/O Kari Yadav R/O Village- Khap Tole, Parikonch, P.S- Marauna, Distt.- Supaul.
 2. Mahesh Yadav @ Mukhiya @ Mahesh Kumar S/O Jhingar Yadav R/O Keotapatti, P.S- Supaul Nadi, Distt.- Supaul.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 252 litres of liquor from a Bolero vehicle.
4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and he came to be



implicated based on confessional statement of Anand Kumar in police custody, which does not have any evidentiary value. It is next submitted that petitioners are not the owner of the seized vehicle.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Supaul in connection with Supaul Nadi P. S. Case No.35 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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