

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20051 of 2024

Arising Out of PS. Case No.-233 Year-2017 Thana- SALIMPUR District- Patna

1. Ashok Kumar Yadav @ Ashouk Kumar @ Ashok Kumar Son Of Ram Nath Rai Resident Of Village-Kala Diara, Police Station-Salimpur, District-Patna.
2. Ran Bijay Yadav @ Chinta Mani Son Of Ram Nath Rai Resident Of Village-Kala Diara, Police Station-Salimpur, District-Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-03-2024 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 30.400 litres of liquor from the house of Sohan Rai, 160 litres of liquor from the house of Santosh Kumar and 30 litres of liquor from behind the house of Gajadhar Rai.
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 even alleged



recovery is from a place which does not belong to the petitioners and petitioners are not related to any of the accused from whose house the liquor was recovered, rather they came to be implicated at the instance of local people, but then, the name of the person, who disclosed the name of the petitioners is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioners are persons with clean antecedent.

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.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Barh, Patna/ successor Court in connection with Salimpur P. S. Case No.233 of 2017, 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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