

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29254 of 2015

Arising out of PS.Case No. -1 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

1. Kailu Yadav.
2. Karu Yadav. Both S/o Bhagat Yadav.
3. Arjun Yadav, S/o Shaggun Yadav. All Resident of Village Kaiya, P.S. Mufassil, District Gaya.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Syed Mojibur Rahman, Advocate.
For the Opposite Party : Mr. Ashok Kr.Singh No.1(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-07-2015 The petitioners are apprehending their arrest in connection with Gaya Muffassil P.S. Case No. 01 of 2015 for the offences instituted under Sections 272, 273 of the IPC and 47(a) of the Excise Act.

Heard learned counsel for the petitioners and learned counsel for the State.

The prosecution story, in brief, is that huge quantity of illicit liquor and also Mahua flowers were recovered from the place which was used by these petitioners for manufacturing the country made liquor using instrument and apparatus. It is stated that 160 liters of illicit liquor was seized from the place of occurrence.

It has been submitted on behalf of the petitioners that the

petitioners have got no criminal antecedent. It is further stated that the petitioners have been made accused in the present case due to mistake of fact. It has further been stated that the seizure list indicates that no recovery has been made from conscious possession of the petitioners. It has further been stated that the petitioners jointly are ready to deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners jointly shall deposit Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Gaya Muffassil P.S. Case No. 01 of 2015(G.R. No. 98 of 2015) on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)