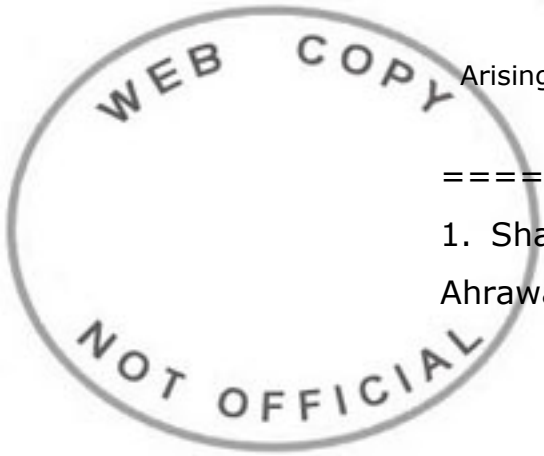




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49384 of 2015

Arising Out of PS.Case No. -306 Year- 2015 Thana -HARNAUT District-
NALANDA (BIHARSHARIFF)

=====

1. Sharwan Sao S/o Sri Bholu Sao Resident of Village -
Ahrawan, Police Station - Belchhi, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

With

Criminal Miscellaneous No.52015 of 2015

Arising Out of PS.Case No. -306 Year- 2015 Thana -HARNAUT District-
NALANDA (BIHARSHARIFF)

=====

1. Amar Kant Yadav @ Amarjeet Yadav Son of Arjun Yadav,
Resident of Village Ahrama, Police Station Belchhi, District
Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

(In Cr.Misc. No.49384 of 2015)

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s: Md. A. Haque Sahara (A.P.P.)

(In Cr.Misc. No.52015 of 2015)

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

For the Opposite Party/s: Mr. Anuj Kr.Srivastava (A.P.P.)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 26-11-2015

Heard learned counsel for the petitioners and
learned Additional Public Prosecutors for the State.

These applications for grant of regular bail
arises out of Harnaut P.S. Case No.306 of 2015,
disclosing offences under Sections 273 and 290/34
of the Indian Penal Code and Sections 47(A), 57(A)
(B) (C) of the Excise Act.

The petitioners are in custody since
21.08.2015. Allegedly, in course of checking of
vehicles, the police seized 300 liters of country made
liquor from a Magic Van, which was being driven by
Amar Kant Yadav @ Amarjeet Yadav (petitioner of
Cr. Misc. No.52015 of 2015). Sharwan Sao
(petitioner of Cr. Misc. No.49384 of 2015) is,
admittedly, the owner of the said vehicle was also in
the vehicle. Other occupant of the vehicle, Lala
Singh, is said to have informed the police that said
country made liquor was loaded by one Pankaj Singh

for delivery to Karu Singh and Ajay Singh.

Learned counsel, appearing on behalf of the petitioners, submit that the present petitioners were carrying articles, at the instance of said Lala Singh, who was also arrested by the police alongwith these petitioners on the date of occurrence. The said Lala Singh has been granted the privilege of regular bail by this Court, vide order, dated 30.09.2015, passed in Cr. Misc. No.45703 of 2015. It is further submitted that the petitioners have no criminal antecedent, let alone his implication in a case arising out of the provisions of Bihar Excise Act.

Keeping in view the submissions, as above, this application is allowed. The petitioners, abovenamed, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vth, Nalanda at Bihar Sharif**, in connection with **Harnaut P.S. Case No.306 of 2015.**

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when

required, and in the event of failure on their part to appear before the Court, on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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