

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27033 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

- =====
1. Bablu Yadav son of Kailu Yadav
 2. Bindu Yadav son of Mithilesh Yadav both residents of Village- Kaiya, P.S.- Muffasil (Gaya), District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-07-2016

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 272 and 273 of the Indian Penal Code read with Section 47A of the Excise Act.

Allegation against the petitioner is that they were involved in preparing country liquor at village Kaiya and from that place 120 litres of Mahua and equipments manufacturing liquor were recovered.

It is submitted on behalf of the petitioners that petitioner no. 2 has got no criminal antecedent. As far as petitioner no. 1 is concerned, only one case is against him and he is on bail in that case. They have falsely been implicated in the present case. There is no recovery of any incriminating article from the conscious possession of the petitioners. No compliance under Section 100 of the Code of Criminal Procedure has been made. It is further submitted that petitioners are ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that petitioners are

named in the F.I.R.

Considering the aforesaid facts and circumstances, It is directed that petitioners shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

Let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Mohaffasil P.S. Case no. 60 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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