

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51372 of 2016

Arising Out of PS.Case No. -406 Year- 2016 Thana -PURNEA SADAR District- PURNIA

- =====
1. Akhilesh Kumar Yadav Son of Rajendra Prasad Yadav
 2. Shambhu Mahaldar @ Shambhu Kumar Mahaldar Son of Kapildeo Mahaldar @ Kapil Mahaldar Both resident of village - Belouri, P.S. Sadar, District Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 22.10.2016 in connection with Sadar P.S. Case No. 406 of 2016 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30 of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the police on secret information reached at the check-post and found two persons coming on a motorcycle, who seeing the police, tried to flee away, but were apprehended and disclosed their names and recovered 13 bottles of foreign liquor and one litre of beer from the bag tied



with the motorcycle.

It has been submitted by the learned counsel for the petitioners that they are innocent, have no criminal history and have falsely been implicated in the aforesaid case. He further submits that nothing has been recovered from the conscious possession of the petitioners and the incriminating articles have been implanted by the police.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances and submission of the parties, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 406 of 2016.

(Nilu Agrawal, J.)

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