

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38848 of 2016

Arising Out of PS.Case No. -39 Year- 2014 Thana -BAIKUNTHPUR District- GOPALGANJ

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1. Santosh Kumar Yadav @ Santosh Yadav, S/O Hira Yadav, R/O Village- Mira Tola, P.S.- Baikunthpur, District- Gopalganj.
 2. Satish Kumar Singh @ Mithlesh Kumar Singh @ Mithilesh Kumar, S/O Rupnath Singh, R/O Village- Sabali, P.S.- Khajuhatti, P.S.- Baitunthpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate.

For the Opposite Party/s : Mr. Sri Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Baikunthpur P.S. Case No. 39 of 2014 registered under Sections 272, 273 and 414 of the Indian Penal Code and Section 47(A) of the Excise Act.

Learned counsel for the petitioners submits that it would appear from F.I.R. that the police seized two gallons, one containing 35 litres and other containing 15 litres, of spirit from the semi constructed house where co-accused, Satyendra Kumar Yadav, was apprehended, who disclosed the name of these petitioners having hand in the business of illicit liquor, except that

there is nothing against the petitioners. It is further submitted that the police submitted final form against the petitioners and the learned Judicial Magistrate Ist Class, Gopalganj, took the cognizance against them on 17.10.2014. It is further submitted that petitioners have no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioners 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Gopalganj, in connection with Baikunthpur P.S. Case No. 39 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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