

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49266 of 2016

Arising Out of PS.Case No. -295 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

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1. Jitendra Yadav S/o Ramesh Yadav
2. Rudal Chaudhary S/o Late Sugriv Chaudhary Resident of Ramdev Nagar
Mahadeva, P.s.- Siwan Muffasil (Mahadeva O.P.), District- Siwan.
.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This is an application for anticipatory bail for the
offences under Sections 47 of the Bihar Excise (Amendment) Act,
2016.

Learned counsel for the petitioners has submitted that the
allegation against the petitioners is of recovery of 320 litres of
country made spicy wine. Nothing has been recovered from the
conscious possession of the petitioners rather the recovery is made
from the vehicle.

Similarly situated co-accused has been granted
anticipatory bail by this Court by order dated 4.1.2016 in
Cr.Misc.No. 38886 of 2016.

Heard learned APP appearing for the State who could



not controvert this fact.

Having heard both sides and in view of the fact that nothing has been recovered from the possession of the petitioners and the co-accused has already been enlarged on anticipatory bail, let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, 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, Siwan in connection with Siwan Muffasil (Mahadeva O.P.) P.S. Case No. 295 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and further that the petitioners will cooperate with the investigation of the case as and when required by the police.

(Vinod Kumar Sinha, J)

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