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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44418 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -MAIRWA District- SIWAN

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1. Manjit Upadhayay @ Manjit Upadhyay Son of Gautam Upadhyay, Resident of Village- Renua, Police Station- Hussainganj, District- Siwan.
2. Narad Ram, Son of Late Mishri Ram, Resident of Village- Pakwalia, Police Station- Hussainganj, Distt.- Siwan.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioners : Mr. Raghav Prasad
For the Opposite Party : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case instituted under Sections 272, 273/34 of the Indian Penal Code and 47/53(B)/53(C) of Excise Act.

The allegation against the petitioners is that 80 litres of country made liquor is said to have been recovered from the possession of the petitioners.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 28.07.2016. The petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. 80 litres of

country made wine is said to have been recovered from the possession of the petitioners. The alleged recovery is denied by the petitioners. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-III, Siwan, in connection with Mairwa P.S. Case No.127 of 2016.

(Sudhir Singh, J.)

Amit/-

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