

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10526 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -MAHESI District- SAHARSA

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Umesh Yadav, Son of Buchcho Yadav @ Bucho Yadav, resident of
Village- Kothiya, P.S.- Mahisi, District- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 08-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who is in custody since 20.05.2016 has renewed his prayer for bail in connection with Mahishi P.S. Case No. 40 of 2016 for the offences alleged under Section 47 of the Bihar Excise (Amendment) Act, 2016 having earlier been rejected by this Court by order dated 18.08.2016 in Criminal Miscellaneous No. 32795 of 2016.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 358 litres and 400 ml. of country made liquor said to have been recovered from the maize field of the petitioner. It is pointed out that the seizure list itself is doubtful as the same has been signed only by police officers and not by independent witnesses. The petitioner has already suffered over



ten months in custody.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case as well as the period of custody since 20.05.2016 already suffered, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Saharsa in connection with Mahishi P.S. Case No. 40 of 2016.

(Vikash Jain, J)

Chandran/BT

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