

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34424 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -SISWAN District- SIWAN

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1. Jitendra Kumar @ Jitan Sah, Son of Nandjee Sah,
2. Mukesh Yadav, son of Rajendra Yadav, Both are residents of Village-
Bhagar, Police Station- Siswan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Surendra Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-08-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in connection with Siswan P.S.
Case No. 85/17 for offences punishable under Sections 272, 273,
308, 420 of the Indian Penal Code and Sections 30(a), 38(i) of the
Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police
personnel, is that on a secret tip off that huge consignment of illicit
liquor is being transported, the police intercepted two motorcycles
but the drivers managed to flee away. From the motorcycle in a
bag 138.24 litres of country-made liquor was recovered. The
petitioners were not arrested on the spot but petitioner no. 1 was
arrested on 06.06.2017 from his house and petitioner no. 2



voluntarily surrendered on 07.06.2017.

It has been submitted by the learned counsel for the petitioner that they are innocent and have been falsely implicated in the aforesaid case. He submits that the petitioners have no criminal antecedent and nothing has been recovered from their possession and it is only on the basis of their name dropped by the villagers that they have been made accused.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge 2nd cum Special Judge, Siwan, in connection with Siswan P.S. Case No. 85/2017.

(Nilu Agrawal, J)

Rajesh/-

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