

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36809 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -ASAWAN District- SIWAN

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1. Harikant Yadav Son of Late Dashrath Yadav, R/o Village- Sahasraw,
P.S.- Asaon, 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 Pandey

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.05.2017 in connection with Asaon P.S. Case No. 26/17 for
offences punishable under Sections 272, 273/308 of the Indian
Penal Code and 30(A) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as lodged by the police
personnel, is that on secret information the police party intercepted
a Maruti car and apprehended two persons, who named the
petitioner that the illicit liquor has been sold to the petitioner.
Thereafter the house of the petitioner was raided and from the
straw house of Dilip Yadav 70.280 litres of illicit liquor was



recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, nothing has been recovered from his conscious possession and he has been made accused only on the basis of confessional statement of co-accused. He further submits that the seizure-list has not been prepared in accordance with Section 100 Cr.P.C.

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) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Siwan, in connection with Asaon P.S. Case No. 26/17.

(Nilu Agrawal, J)

Rajesh/-

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