

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59172 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -SAHARGHAT District- MADHUBANI

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1. Ashu Yadav, Son of Late Bihari Yadav, Resident of Village- Minti Bengara, P.S.- Saharghat, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 22-12-2017 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Saharghat P.S.Case No. 88 of 2017 instituted for the offence punishable under Sections 272, 273 of the Indian Penal Code and 30 (a) of the Bihar Excise Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 72 liters of Nepali Saufi wine from the motorcycle which was carried by the petitioner with the assistance of other co-accused.

Learned counsel for the petitioner submits that in fact no recovery has been affected from the conscious possession of the petitioner. It is stated that he has clean antecedent and he is languishing in custody since 04.09.2017.



Considering the nature of accusation, period of custody undergone and clean antecedent, I deem it fit and appropriate to direct the release of the petitioners. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge- Cum – Special Judge Excise Act, Madhubani in connection with Saharghat P.S.Case No. 88 of 2017 corresponding to G.R. No. 493 of 2017.

(Mohit Kumar Shah, J)

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