

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61162 of 2017

Arising Out of PS.Case No. -547 Year- 2017 Thana -SIWAN CITY District- SIWAN

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1. Surendra Sah @ Sukat, S/o Late Shivrath Sah,
2. Harendra Sah, S/o Late Ramnath Sah, Both are R/o Village- Makhdum
Sarai, P.S.- Sarai O.P., District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2017 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners seek regular bail in connection with

Siwan Town (Sarai) P.S. Case No.547 of 2017 instituted for the

offences under Sections 272/273 & 34 of the Indian Penal Code

and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 29.7 litres of

country made liquor from the bush near the house of one Prem

Kumar, co-accused of the present case. It has been further alleged

that as far as the petitioner no.2 is concerned, 720 ml liquor was

recovered from his pocket.

The learned counsel for the petitioner submits that as



far as petitioner no.1 is concerned, nothing has been recovered from his conscious possession and as far as petitioner no.2 is concerned, he has been falsely implicated in the present case. It is further submitted that the petitioner no.1 is on bail on the sole case pending against him while the petitioner no.2 has got a clean antecedent. The petitioners are languishing in custody since 09.10.2017.

Considering the nature of accusation and the period of custody already undergone, I direct the petitioners named above to be released on regular bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum Special Judge (Excise), Siwan in connection with Siwan Town (Sarai) P.S. Case No.547 of 2017.

(Mohit Kumar Shah, J)

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