

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60350 of 2017

Arising Out of PS.Case No. -394 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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1. Gajendra Sah @ Kachhu @ Karchhui S/o Jawahir Sah, R/o Village-
Salemnpur (Mahadeva) P.S.- Mahadeva, O.P.- 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. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2017 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Siwan Muffasil PS case no. 394 of 2017 instituted for the offences punishable under Sections 272, 273, 308, 420/34 of Indian Penal Code and Section 30 & 41(i) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 90 ltrs. of liquor from a Bolero vehicle and 3 co-accused persons are said to have been arrested while 3 persons fled away. It has been alleged that the said arrested accused persons disclosed the name of the petitioner and others, as those persons who had fled from the spot.

The learned counsel for the petitioner submits that



the petitioner has been roped in the present case on the disclosure of the co-accused though he was neither arrested from the spot nor anything was recovered from him, he is in custody since 14.11.2017 and as far as criminal antecedent of the petitioner is concerned, three cases with same and similar allegation are pending against him

Considering the nature of accusation and the period of custody undergone, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 50,000/- (Rs. Fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge(Excise), Siwan in connection with Siwan Mufassil PS case no. 394 of 2017.

(Mohit Kumar Shah, J.)

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