

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25437 of 2017

Arising Out of PS.Case No. -78 Year- 2016 Thana -RAJAULI District- NAWADA

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1. Sitaram Turiya S/o Mouji Turiya
 2. Muna Turiya S/o Baigan Turiya
 3. Shankar Yadav S/o Barho Yadav,

All of three are Resident of Village-Hathochak Tolla Nagarwa, P.S.-
Rajauli, District-Nawada

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Adv.

For the Opposite Party/s : Mr. None.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2017 Heard Sri Krishna Deo Raj, learned counsel for the
petitioners. None appeared on behalf of the State.

Three petitioners, apprehending their arrest in Rajauli P.S. Case No.78/2016, registered for the offence under Sections 272, 273 of the Indian Penal Code and Section 47(A) of the Bihar Excise (Amendment) Act, 2016, have prayed for grant of bail, in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that as per F.I.R. itself, the police had recovered huge quantity of country-made liquor from *badhar*. He further submits that nothing was recovered from conscious possession of the petitioners or from their premises/field and only on disclosure



made by some other persons, the petitioners have been made accused. It has been argued that recovery was not affected either from the house or from their field.

Considering the nature of accusation and none recovery either from conscious possession or from the house of petitioners or from their field, let petitioners, namely, (i) Sitaram Turiya (ii) Muna Turiya and (iii) Shankar Yadav, in the event of their arrest or surrender within six weeks from today, be released 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 Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No.78 /2016, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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