

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.31190 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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Kranti Yadav, son of Umesh Yadav @ Umesh, resident of village Dahabari, Police Station - Ander, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party : Mr. Dr. Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 05.05.2017 in connection with Raghunathpur P.S. Case No. 10 of 2017 for the offences instituted under Sections 272, 273, 308 of the IPC, 30 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the informant on 25.03.2017 on secret information caught co-accused persons, Ragho Yadav, Sonu Yadav, Arjun Yadav, Abhimanyu Yadav and Saryu and recovered 202.92 liters of foreign and country made liquor from joint possession of accused persons.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.05.2017 and the charge sheet has



been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has falsely been implicated in the present case. As per prosecution case, 202.92 liters of foreign and country made liquor are said to have been recovered from joint possession of accused persons. So far the petitioner is concerned, there is no recovery from his conscious possession. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. –III, Siwan, in connection with Raghunathpur P.S. Case No. 10/2017.

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(Sudhir Singh, J)