

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48173 of 2017

Arising Out of PS.Case No. -163 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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1. MANISH KUMAR @ MANISH YADAV, Son of Bhagwan Yadav, R/o Village- Mirdhanchak, P.S.- Salimpur, District- Patna.
2. Sanjay Sharma Son of Nakul Sharma, R/o Village- Bhagwanpur, P.S.- Madhupur, District- Deoghar.
3. Mukesh Kumar Yadav, Son of Gina Yadav, R/o Village- Dagalpara, P.S.- Madhupur, District- Deoghar.
4. Sumit Kumar Malo, Son of Sanjay Kumar Malo, R/o Village- College Road, Madhupur, P.S.- Madhupur, District- Deoghar.
5. Anand Kumar Chaudhary @ Anand Kumar Son of Subal Chaoudhary, R/o Village- College Road, Madhupru, P.S.- Madhupur, District- Deoghar.
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jogendra Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioners.

This is an application for bail in connection with Barahiya P.S.Case No. 163/2017 registered for the offences punishable under sections 272 and 273 of the Indian Penal Code and 30(a), 32(b) and 38(a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioners is of recovery of 260 litres of liquor from a car in which the petitioners were travelling and they were arrested at the spot.

Submission of the learned counsel for the petitioners is that the petitioners have no concern with the seized articles and



they were only travelling in the car and they are in custody for one and half months having no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the trial court that once charge has been framed in this case or the petitioner completes the period of three months in judicial custody, whichever is earlier, the trial court shall release the petitioners to its satisfaction.

(Vinod Kumar Sinha, J)

Surendra/-

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