

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 56461 of 2017

Arising Out of PS. Case No.-142 Year-2017 Thana- Raghunathpur District- Siwan

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1. Amit Kumar Singh, Son of Mahadev Singh,
 2. Radhe Shyam Singh, Son of Late Sita Ram Singh,
Both resident of Village- Murarpatti, P.S.- Raghunathpur,
District- Siwan.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2017 Heard Sri Bhavesh Kumar, learned counsel for the
petitioners and Sri Shailendra Kumar Singh, learned Addl.
Public Prosecutor.

Two petitioners, who are in custody since 22-08-2017 in Raghunathpur P.S. Case No. 142 of 2017 registered for offence under Sections 272, 273, 308 of the Indian Penal Code and Sections 30, 38, 41 of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail.

At the very outset, learned counsel for the petitioners has drawn my attention to statement made in paragraph – 3 of the petition to show that both petitioners are having clean antecedent. Learned counsel for the petitioners has also drawn my attention to the seizure list, which is enclosure to the F.I.R.,



and submits that from seizure list, it is not clear as to whether any liquor was recovered from conscious possession of the petitioners. He submits that it was alleged as if six persons on three motorcycle were coming and after noticing the police, accused persons fled away. However, amongst those, both the petitioners were apprehended and recovery of about 70 liters of Mahua liquor and 7.2 liters of country-made liquor was shown to be recovered, but it has not been specifically mentioned as to whether anything was found on the motorcycle.

Considering the nature of accusation, clean antecedent as well as period of custody, let both petitioners namely Amit Kumar Singh and Radhe Shyam Singh be enlarged 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 Additional District & Sessions Judge II-cum Special Judge, Siwan in connection with Raghunathpur P.S. Case No. 142 of 2017.

(Rakesh Kumar, J.)

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