

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17561 of 2017

Arising Out of PS.Case No. -18 Year- 2017 Thana -RAJAULI District- NAWADA

- =====
1. Baleshwar Yadav, Son of Late Kailu Yadav,
 2. Chhotu Yadav @ Chhotu Kumar, Son of Sri Uday Yadav, Resident of Village- Nagarwatari, P.S. - Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-04-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

Petitioners are languishing in custody for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Two other co-accused were arrested along with
liquor. On their disclosure further seizure of liquor was made
from the field side. Those accused stated before the police that
subsequently seized liquor was of the petitioners.

Submission of the petitioners is that petitioners
have stated on oath that they were neither apprehended at the place
of seizure nor the place of seizure belongs to petitioners rather due
to previous dispute as stated in para-6 of the bail petition the false



implication is there by the informant.

Considering the facts that apparently there is no accusation of possession of liquor by the petitioners, hence bar under Section 76 of the Bihar Prohibition and Excise Act is not attracted, let petitioners, above named, 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 Chief Judicial Magistrate, Nawada/Successor Court, in connection with Rajauli P.S. Case No.18 of 2017, with condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioners in this case.

Mkr./-

(Birendra Kumar, J)

U		T	
---	--	---	--

