

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12709 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -MAIRWA District- SIWAN

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Satyendra Yadav S/o Paras Yadav, R/o village - Phoolwariya, P.S. Mairwa,
District – Siwan Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mairwa P.S.
Case No. 134 of 2016 registered for the offences punishable under
Sections 272, 273/34 of the Indian Penal Code and Sections 47,
53(B), 53 (C) of Bihar Excise Prohibition Act, 2016.

Allegedly, acting on a tip off that in the Bathan of the
petitioner illicit liquor is being sold, raid was conducted and
seeing the Police party some persons started fleeing away and
local Dafadar identified the petitioner and others who succeeded in
fleeing away and from Bathan of the petitioner 700 bottles each
containing 200 ml. country made liquor was recovered.

Submission is of false implication and that the petitioner is
suffering in custody since 09.02.2017, one of the co-accused Shiv
Kumar Yadav has been allowed pre-arrest bail and as such the



petitioner also deserves sympathetic consideration.

Learned APP submits that from the Bathan of the petitioner those liquors were recovered.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Mairwa P.S. Case No. 134 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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