

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57240 of 2017

Arising Out of PS.Case No. -173 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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1. Mahakant Yadav @ Maha Yadav @ Mahe Yadav, S/o Late Bikau Yadav,
2. Ram Naresh Yadav S/o Mahakant Yadav @ Maha Yadav, R/o Village-
Ranti Mohanpur, P.S.- Raj Nagar, District- Madhubani.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Sections 272, 273, 34 of the Indian Penal Code and 30(a) of Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in brief, is that 1090.875 liters of
wine is said to have been recovered.

It has been submitted on behalf of the petitioners that
the petitioners are in custody since 14.08.2017. The charge sheet
has been submitted in the present case. The petitioners have got
no criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioners. It is alleged that
1090.875 liters of wine is recovered from an abandoned house of



the petitioners. The house in question is approximately four kilometers away from the house of the petitioners. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are 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 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Madhubani, in connection with Raj Nagar P.S. Case No.173/2017.

(Sudhir Singh, J)

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