

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18920 of 2017

Arising Out of PS.Case No. -343 Year- 2016 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Nandlal Yadav, Son of Mukhdeo Yadav,
 2. Madan Yadav, son of Chana Yadav,
 3. Rajeshwar Yadav, Son of Sahdeo Yadav,
- All are Resident of Village- Sheorajpur Chharki, Police Station- Nautan,
District- West Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party : Mr. Kalyan Shankar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-06-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Nautan P.S. Case No. 343 of 2016 registered for the offence
punishable under Section 30(A)/36 of the Bihar Excise Prohibition
Act, 2016.

Allegedly, five unknown persons were apprehended
with liquor and they disclosed the name of the petitioners that
petitioners succeeded in fleeing away after throwing the bundle
containing liquor.

Submission is of false implication and that the
petitioners have got no concern, they have been made accused
only on the basis of confessional statement of co-accused made



before the police which has got no evidentiary value in the eye of law, nothing has been recovered from their house as alleged two plastic bags were found thrown. The petitioners have been implicated due to enmity by other co-accused and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. submits that the petitioners succeeded in fleeing and their names have been taken by co-accused at once.

In the facts and circumstances as stated above, considering that the name of the petitioners have come in the confessional statement of the co-accused made before the police and besides that there is no other materials against the petitioners and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan P.S. Case No. 343 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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