

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8343 of 2018

Arising Out of PS.Case No. -501 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

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1. Rakesh Kumar, Son of Ashok Yadav, Resident of Village- Lakhraw,
P.S.- Siwan Muffasil, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Siwan Muffasil P.S.
Case No.501 of 2017 registered under Section 272/273 and 411 of
the Indian Penal Code and Section 30 (a) and 41 (i) of the Bihar
Prohibition and Excise Act, 2016.

83 liters of foreign liquor is said to have been
recovered from the house of Dharmendra Yadav, Sandip Yadav &
Pradip Yadav and from the vehicle parked outside the door of
Dharmendra Yadav and locals divulged the names of accused
persons including the petitioner involved in the liquor business.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



conscious physical possession of the petitioner. He has no concern either with the place from where the liquor is said to have been recovered or with the seized liquor. The identity and genuineness of the source of information regarding indulgence of the petitioner in the trade of liquor is not mentioned in the F.I.R. He has been languishing in custody since 14.12.2017. .

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 Additional District and Sessions Judge 2nd-cum-Special Judge Excise, Siwan in connection with Siwan (Muffasil) P.S. Case No.501 of 2017.

(Prakash Chandra Jaiswal, J)

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