

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9709 of 2018

Arising Out of PS.Case No. -206 Year- 2017 Thana -PANCHRUKHI District- SIWAN

- =====
1. Dharmendra Yadav
 2. Balindra Yadav Both sons of Gudhan Yadav @ Butan Yadav Both residents of Village - Chandpur, P.S. - G.B. Nagar, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Pachrukhi P.S. Case No. 206 of 2017 registered for the offence punishable under Sections 272, 273, 308 and 420 of the Indian Penal Code and Sections 30 and 38 of the Bihar Prohibition & Excise Act, 2016.

The allegation is regarding recovery of 14 liters of illicit liquor from the motorcycle of the petitioner no. 2.

The learned counsel for the petitioners submits that neither any recovery has been made from the conscious possession of the petitioner nor the provisions of Section 100 Cr.P.C. has been complied with while seizing the articles. The petitioners are said to



be having a clean antecedent.

Considering the nature of accusation and the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Siwan in connection with Pachrukhi P.S. Case No. 206 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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