

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6877 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- DINARA District- Rohtas

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1. Sanjay Ram Son of Late Mathura Ram
 2. Munna Singh, Sn of Rajeshwar Singh, Both resident of Village-Arang, P.S. Dinara (Bhanas), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in connection with Dinara (Bhanas) P.S. Case no. 260 of 2017 registered under Sections 272, 273, of the Indian Penal Code and Section 30(a), 35, 38 of Bihar Prohibition & Excise Act-2016.

138.750 lts. of foreign liquor is said to have been recovered from the open land located behind the *Dalan* of the Mahendra Yadav and one co-accused namely, Sanjay Ram was apprehended who disclosed the name of the petitioners and others in the occurrence.

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



physical possession rather from behind the *Dalan* of the Mahendra Yadav. Petitioners have neither any concern with the aforesaid place nor with the seized liquor. Petitioner no. 1 has no criminal antecedent while one criminal case has been filed against the petitioner no. 2 but he is on bail in that case. The petitioner no. 1 has been languishing in custody since 17.09.2017 and petitioner no. 2 has been languishing in custody since 30.10.2017. Similarly situated co-accused namely, Mahendra Yadav and Upendra Ram have been enlarged on bail vide order dated 11.01.2018 passed in Cr. Misc. no. 62454 of 2017 by a co-ordinate Bench of this Court.

Considering the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-2nd-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Dinara (Bhanas) P.S. Case no. 260 of 2017.

(Prakash Chandra Jaiswal, J)

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