

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6873 of 2018

Arising Out of PS. Case No.-279 Year-2017 Thana- ANDER District- Siwan

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1. Bishundeo Yadav, Son of Late Khedan Yadav,
 2. Ashok Yadav, Son of Bishundeo Yadav, Both are residents of Village- Khemraj Padari, Police Station- Ander, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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 Ander P.S. Case no. 279 of 2017 registered under Sections 272, 273, 308 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act-2016.

267.13 lts. of foreign liquor is said to have been seized from the *Bathan* of the petitioners and petitioners were apprehended.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their conscious physical possession. Petitioner no. 1 happens to be old person and suffering from several ailments. Though the petitioners are



said to have been apprehended on the spot but the seizure list does not bear their signature which creates serious doubt about the prosecution case. The petitioners have no criminal antecedent. The petitioners have been languishing in custody since 04.11.2017.

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 Sessions Judge-2nd-cum-Special Judge, Siwan in connection with Ander P.S. Case no. 279 of 2017.

(Prakash Chandra Jaiswal, J)

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