

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7651 of 2018

Arising Out of PS.Case No. -339 Year- 2017 Thana -MASAURHI District- PATNA

=====

1. HARENDRA YADAV, S/o Baiju Yadav @ Baidhu Yadav,
2. Subhash Yadav S/o Suryadeo Yadav, Both R/o Village- Badroi, P.S.-
Masharuhi, District- Patna.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Gajanan Mishra

For the Opposite Party/s : Mr. Manish Kumar 2

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 13-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with Special
Case No.5414/2017 arising out of Masaurhi P.S. Case No.339 of
2017, registered under Section 30(a) of Bihar Prohibition and
Excise Act, 2016.

175 liters of country made liquor is said to have been
kept digging on the bank of the river which was destroyed during
the course of excavating while 25 liters of the country made liquor
was recovered from the bush kept by some unknown miscreants.

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



conscious physical possession of the petitioners. The petitioners have been falsely implicated in this case. They have no concern with the seized liquor. They have not been arrested on the spot. Similarly situated co-accused namely Nitish Kumar has been enlarged on bail by this court in Cr. Misc. No. 2390 of 2018 vide order dated 23.01.2018. The petitioners have been languishing in custody since 25.09.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged 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 Special Judge, Excise, Patna, in connection with Masaurhi P.S. Case No.339/2017 (Special Case No.5414/2017).

(Prakash Chandra Jaiswal, J)

Amit/-

U		T	
---	--	---	--

