

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9047 of 2018**

Arising Out of PS.Case No. -344 Year- 2017 Thana -SIMRI District- BUXAR

=====

1. Bihari Yadav, Son of Sumiran Yadav,  
2. Sheo Sagar Yadav @ Rehthua, Son of Late Daroga Yadav, Resident of  
Village- Tilak Rai Ke Hata, P.S.- Simri (T.R.H.- O.P.), District- Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Parmanand Kumar

=====

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

02 17-02-2018

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners seek bail in Simri (T.R.H.-O.P.) P.S.  
Case No.344 of 2017 registered under Section 272/273 of the  
Indian Penal Code and Section 30 (a) of the Bihar Prohibition and  
Excise Act, 2016.

28.8 liters of country made liquor is said to have  
been recovered from the motorcycle of the petitioners and they  
were apprehended.

It is submitted by learned counsel for the petitioners  
that no incriminating article has been recovered from the  
conscious physical possession of the petitioners. They have been



falsely implicated in this case at the instance of their enemy planting the aforesaid recovery from their motorcycle. They have no concern with the seized liquor. Earlier no case under the Excise Act has been lodged against the petitioners. They have been languishing in custody since 20.12.2017.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge Excise, Buxar in connection with Simri (T.R.H.-O.P.) P.S. Case No.344 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

