

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.935 of 2018

Arising Out of PS.Case No. -389 Year- 2017 Thana -MAIRWA District- SIWAN

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1. Abhishek Yadav S/o Ved Yadav, R/o Village- Bari Rampur, P.S.- Bhatni,
District- Dewaria (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Mairwa PS case no. 389 of 2017 instituted for the offences
punishable under Sections 272, 273/34 of Indian Penal Code and
30(A), 37(B), 38(i), 41(i) of the Bihar Excise and Prohibition Act,
2016.

The allegation is regarding recovery of 27 ltrs. of
illicit liquor from the motorcycle being driven by the co-accused
persons and the petitioner is said to be traveling in the said
motorcycle.

The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the present case and



infact no recovery has been made from the conscious possession of the petitioner as well as he is not the owner of the motorcycle. It is further submitted that the petitioner has a clean antecedent and he is in custody since 24.10.2017.

Considering the nature of accusation, clean antecedent of the petitioner and the period of custody undergone, I deem it fit and appropriate to enlarge the petitioner on regular bail. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge II -cum-Special Judge (Excise), Siwan in connection with Mirwa PS case no. 389 of 2017.

(Mohit Kumar Shah, J)

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