

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8472 of 2018

Arising Out of PS. Case No.-189 Year-2017 Thana- LAUKHI District- Madhubani

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1. Umesh Yadav, S/o Shri Gulten Yadav, R/o Village- Kauriyahi P.S.- Laukahi , district- Madhubani.
 2. Sanjay Kumar Mandal S/o Shri Suresh Kumar Mandal Thadhi, R/o P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binodanand Mishra

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in connection with Laukahi P.S. Case no. 189 of 2017 registered under Sections 272, 27/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise and Prohibition Act 2016.

450 lts. of Nepali liquor is said to have been recovered from the Bolero vehicle and two persons namely, Anil Sah and Sikandar Kumar were apprehended while other managed to escape. Said apprehended accused disclosed the name of the petitioners as their fleeing accomplices.

It is submitted by learned counsel for the petitioners that no



incriminating article has been recovered from their conscious physical possession. They were not apprehended at the spot. They have no concern either with the said Bolero vehicle or with the seized liquor. There is nothing in the record indicating the complicity of the petitioners in the occurrence barring the statement of aforesaid apprehended accused persons. Petitioners have no criminal antecedent. The petitioner no. 1 has been languishing in custody since 10.11.2017 while petitioner no. 2 has been languishing in custody since 26.10.2017.

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 the learned Special Judge Excise Act, Madhubani in connection with Laukahi P.S. Case no. 189 of 2017.

(Prakash Chandra Jaiswal, J)

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