

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9739 of 2018

Arising Out of PS.Case No. -627 Year- 2017 Thana -SIWAN CITY District- SIWAN

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1. Hariom Yadav @ Munna Yadav, S/o Om Prakash Yadav
2. Shahil Ansari, S/o Salaudin Ansari R/o Village-Mararghat (Mqdarghat)
P.S.-Vijayipur, District-Gopalganj.

.... Petitioners.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

02 19-02-2018

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners seek bail in Siwan Town P.S. Case No.627 of 2017 registered under Section 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2016.

36 liters of foreign liquor and 40 liters of country made liquor are said to have been recovered from a Tata Indica Car and petitioner no.1-Hariom Yadav @ Munna Yadav and petitioner no.2-Shahil Ansari, who happens to be driver of the said vehicle 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. Petitioner no.2, who happens to be driver of the said vehicle, had no knowledge of keeping the liquor on the back seat of the car being transported by him. He was driving the car on the instruction of its owner. Petitioner no.1 was simply a commuter who was travelling in the said vehicle by taking lift. He had also no knowledge about the seized liquor. They have no criminal antecedent. They have been languishing in custody since 09.11.2017.

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 2nd Additional Sessions Judge, Siwan in connection with Siwan Town P.S. Case No.627 of 2017.

(Prakash Chandra Jaiswal, J.)

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