

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1131 of 2018

Arising Out of PS.Case No. -146 Year- 2017 Thana -NAUTAN District- SIWAN

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1. Rupesh Kumar Yadav @ Rupesh Kumar, son of Dhurendra Yadav, resident of village-Siyari Mathia, Police Station-Siwan(M), District-Siwan
 2. Bhola Yadav, son of Kanhaya Yadav, resident of village-Siyari Mathia, Police Station-Siwan (M), District-Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Binod Kumar- 3

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek regular bail in connection with Nautan P.S. Case No. 146 of 2017 instituted for the offences under Sections 272, 273 and 308/34 of the Indian Penal Code and Sections 30/38 of the Excise Act.

The allegation is regarding recovery of 27 litres of illicit liquor from the motorcycle being ridden by the petitioners.

The learned counsel for the petitioners submits that the motorcycle does not belong to the petitioners and the fact is that no recovery has been made from the conscious possession of the petitioners. It is further submitted that the petitioners have a clean antecedent and they are in custody since 08.09.2017.



Considering the nature of accusation, the period of custody already undergone and the fact that the petitioners are having a clean antecedent, I deem it fit and proper to enlarge the petitioners above named on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Siwan in connection with Nautan P.S. Case No. 146 of 2017.

(Mohit Kumar Shah, J)

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