

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22215 of 2018

Arising Out of PS.Case No. -434 Year- 2017 Thana -BASANTPUR District- SIWAN

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1. Azad Alam Son of Morai Miya
2. Samshad Alam Son of Butan Miyan Both Resident of Village-
Madarpur, P.S. Basantpur, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioners and the
learned APP for State.

The petitioners seek bail in connection with Basantpur
P.S. Case No. 434 of 2017 for offences punishable under Sections-
272, 273, 308/34 of the Indian Penal Code and Sections-
30(A)/34(B)/36 of Bihar Excise Amendment Act, 2016.

The prosecution case as lodged by the ASI is that on
secret information that three persons are carrying illicit liquor in a
motorcycle, police chased the motorcycle, upon which, two
persons (petitioners) were apprehended while the third accused
Sonu Soni managed to flee away. From the bag on the shoulders
of each of the petitioner, 15 litres country made wine was
recovered. Accordingly, seizure list was prepared.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have falsely been implicated in the aforesaid case. It is submitted that petitioners are languishing in judicial custody since 01-01-2018. He submits that charge sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and materials on record, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousands) each, with two sureties of the like amount each to the satisfaction of learned Special Judge, Siwan in connection with Basantpur P.S. Case No. 434 of 2017.

(Nilu Agrawal, J)

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