

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23339 of 2018

Arising Out of PS.Case No. -157 Year- 2017 Thana -JAMOBABAZAR District- SIWAN

- =====
1. Dinesh Tiwari Son of Ramashish Tiwari
 2. Manjay Tiwari Son of Kapildev Tiwari Both Resident of Village-
Sikatiyan, Tiwari Tola, Police Station- Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in Jamo Bazar P.S. Case
No. 157 of 2017 registered under Sections 272, 273, 308 and
420/34 of the Indian Penal Code and Section 30 of the Bihar
Prohibition and Excise Act, 2016.

60.48 litres of foreign liquor is said to have been
recovered from the Mango orchard of Manjay Tiwary (petitioner
no.2) and the locals divulged the name of the petitioners and one
other accused as trader of the said liquor.

It is submitted by learned counsel for the petitioners
that no incriminating article has been recovered from the



conscious physical possession of the petitioners. Mango orchard of Manjay Tiwary from where the aforesaid liquor is said to have been seized is accessible to anyone. They were not apprehended on the spot. Petitioners have no concern either with the seized liquor or any trade of liquor. Petitioner no.2 has also no concern with the place of recovery. They have no criminal antecedent. They have been languishing in custody since 16.01.2018.

Considering the facts aforesaid, 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 cum Special Judge, Siwan in connection with Jamo Bazar P.S. Case No. 157 of 2017.

(Prakash Chandra Jaiswal, J)

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