

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7116 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- AANDAR District- Siwan

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1. NAGENDRA YADAV, Son of Late Janki Yadav, Resident of Village – Dahabari, P.S.-Ander, District- Siwan,
 2. Taiyab @ Ashraf Ali, Son of Afzal Ali, Resident of Village – Pachbarwan, P.S.-Ander, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2/ 07-02-2019

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners seek bail in **Ander (M.H. Nagar) P.S.**

Case No.102 of 2018 instituted for the offence under Section(s)

272, 273, 420/34 Indian Penal Code and Sections 30(a), 38, 41

of Bihar Prohibition and Excise Act, 2016.

It is alleged that total 8 litres 640 mililitres foreign liquor has been recovered from the vehicle. Petitioner No.1 was arrested on the spot, whereas, petitioner No.2 and another person managed to run away. Petitioner No.1 disclosed the name of petitioner No.2 and another accused.

Counsel for the petitioners submits that Petitioners are in custody since 02.06.2018 and 10.08.2018 respectively.



In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released 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 **Additional Sessions Judge 2nd cum Special Judge, Excise, Siwan**, in connection with **Ander (M.H. Nagar) P.S. Case No.102 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioners.

It appears from para 3 that other cases under the Excise Act is pending against the petitioner. The petitioner will file Affidavit at the time of filing bail bond that he will not indulge in such activities in future, otherwise, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

J. Alam/-

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