

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9338 of 2019

Arising Out of PS. Case No.-429 Year-2018 Thana- MAIRWAN District- Siwan

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1. SATYENDRA RAM @ SATENDRA RAM S/o Jagdeo Ram Resident of Village- Bijurati Hata, P.S.- Siwan Muffasil, District - Siwan.
 2. Yugal Ram @ Yugul Ram S/o Bigu Ram Resident of Village- Bijurati Hata, P.S. - Siwan Muffasil, District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 3.11.2018 in a case registered for the offences punishable under Sections 272,273 and 308/34 of the I.P.C. and Sections 30(a),38(1) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the motorcycle of the petitioners, 28.200 litres illicit liquor were recovered.

It is submitted by learned counsel for the petitioners that the said recovery has not been made from the conscious physical possession of the petitioner and petitioners are not having any criminal antecedent and he is languishing in custody since 3.11.2018.



Learned APP submits that the recovery of illicit liquor has been made from the motorcycle of the petitioners.

Considering the quantity of recovery, statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent and the period under custody, let the petitioners above named be released 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, Excise, Siwan in connection with Mairwa P.S. Case No.429 of 2018.

(Dinesh Kumar Singh, J)

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