

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16119 of 2019**

Arising Out of PS. Case No.-278 Year-2018 Thana- MAIRWAN District- Siwan

Shiv Kumar Yadav S/o Hardyanand Yadav Resident of Village- Phulwaria,
P.O.- Phulwaria, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Shahi
For the Opposite Party/s : Mr.Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 26-03-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with Mairwa PS case no. 278 of 2018 registered for the offence punishable under Sections 272, 273, 308/34 of Indian Penal Code and 30(i), 38(i), 41(i) of Bihar Excise and Prohibition Act, 2016.

The allegation is regarding recovery of 216 liters of illicit foreign liquor from a Santro vehicle.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case. It is further submitted that the petitioner is not the owner of the said vehicle, as has been stated in para 9 of the present petition. Lastly, it is submitted that the petitioner was



not apprehended from the spot and infact, since other cases of similar nature are pending against the petitioner, he has been remanded in the present case. The petitioner is said to be languishing in custody since 25.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 2nd-cum-Special Judge Excise, Siwan in connection with Mairwa PS case no. 278 of 2018.

(Mohit Kumar Shah, J)

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