

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80274 of 2018

Arising Out of PS. Case No.-170 Year-2018 Thana- RAGHUNATHPUR District- Siwan

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1. Bhim Yadav son of Sri Pheku Yadav
 2. Saddam Hussain, son of Hasim Mansoori,
 3. Sanjay Yadav, son of late Ram Nath Yadav All 1 to 3 are resident of Village - Raghunathpur, P.S. - Raghunathpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioners. Petitioners are in custody in connection with Raghunathpur PS Case No. 170 of 2018 for the alleged offence punishable under Sections 272, 273 and 308 of the Indian Penal Code and Sections 30(a), 38(a) and 41(1) of the Bihar Excise Amendment Act, 2016.

In the instant case, total 112 liters and odd of illicit liquor was seized. Learned counsel appearing for the petitioners submits that petitioner nos. 1 and 2 have no criminal antecedent. Petitioner no. 3 was earlier made accused in a similar case.

Considering the fact that petitioner nos.1 and 2 have



no criminal antecedent and they are in custody since 28.09.2018, the Court is inclined to grant bail to petitioner nos. 1 and 2. Accordingly, let petitioner nos. 1 and 2, 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 Addl. Sessions Judge-2nd-cum-Special Judge (Excise), Siwan in connection with Raghunathpur PS Case No. 170 of 2018.

Having regard to the fact that petitioner no.3 has past track record of such criminal case, the Court is not inclined to grant him bail. His application for bail is rejected. However, he may renew his prayer after two months from today.

(Anil Kumar Upadhyay, J)

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