

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72287 of 2019

Arising Out of PS. Case No.-262 Year-2019 Thana- MAIRWAN District- Siwan

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1. Rajdhan Chaudhary Son of Ramajee Chaudhary Resident of Village - Harnathpur, P.S.- Mairwa, District- Siwan
 2. Dharmendra Chaudhary Son of Rajdev Chaudhary Resident of Village - Ekwari, P.S.- Darauli, District- 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 : Mr. Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners seek bail in connection with Mairwa P.S. Case No. 262 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act-2016.

26 lts. of country made liquor is said to have been recovered from the motorcycle and the petitioners were identified by the locals in the course of escaping dumping the said motorcycle and the liquor.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They were not



apprehended on the spot. They have no concern either with the seized liquor or with the motorcycle in question. They have been falsely implicated in this case due to dirty village politics. The identity and genuineness of the source of information has not been mentioned in the written report. Petitioners have no criminal antecedent and have been languishing in custody since 08.10.2019.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Siwan in connection with Mairwa P.S. Case No. 262 of 2019.

(Prakash Chandra Jaiswal, J)

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