

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29253 of 2021

Arising Out of PS. Case No.-73 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

1. SHYAM KISHOR YADAV @ SHYAM KISHOR PRASAD S/O RAJENDRA YADAV R/O VILLAGE-TANDWA, P.S.-MUFFASIL, DISTRICT-SIWAN
2. RAMAJI YADAV @ RAMAJI CHAODHARY S/O GHAGRU YADAV R/O VILLAGE-TANDWA, P.S.-MUFFASIL, DISTRICT-SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam
For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) & 41 (1) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 203 liters of foreign liquor is said to have been recovered from a mustard field. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have



been falsely implicated in this case at the instance of their enemy. The allegation levelled against the the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent.

Petitioners are agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) **each** in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Siwan Muffasil P.S. Case No.73 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his



wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) **each** in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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