

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8364 of 2021

Arising Out of PS. Case No.-184 Year-2020 Thana- KHAJAULI District- Madhubani

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1. HARE RAM YADAV @ HARERAM YADAV Son of Ram Balak Yadav Resident of Village-Kamalpur, P.S.-Aurhi, District-Sirha (Nepal). At present C/o Jagmohan Yadav, Male, aged about 59 Years, S/o Nathuni Yadav, R/o Village-Ward No.-11, Pilakhbar, P.S.-Rajnagar, District-Madhubani.
 2. Pradip Yadav @ Pradeep Yadav Son of Baniya Yadav @ Bathare Resident of Village-Kamalpur, P.S.-Aurhi, District-Sirha (Nepal). At present C/o Jagmohan Yadav, Male, aged about 59 Years, S/o Nathuni Yadav, R/o Village-Ward No.-11, Pilakhbar, P.S.-Rajnagar, District-Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-07-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Khajauli P.S. Case no. 184 of 2020 registered under sections 272, 273, 414 and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., in course of checking of vehicle, both the petitioners were taken into custody and 378 litres of Nepali liquor was recovered.



It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their vehicle or possession. They are in custody since 12.9.2020, have no criminal antecedent and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and on going through the materials on record, it transpires from the report received from the Superintendent of Police, Madhubani that the petitioners have no criminal antecedent. In view of their being in custody for the last more than 9 months, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Khajauli P.S. Case no. 184 of 2020 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani.

(Partha Sarthy, J)

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