

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53888 of 2022

Arising Out of PS. Case No.-450 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

SHIV KUMAR YADAV Son of Haridaya Yadav Resident of Village -
Fulwaria, P.O.- Makariyar, P.S.- Mairwa, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 57005 of 2022

Arising Out of PS. Case No.-450 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Prince Yadav S/O Avdhesh Yadav @ Avdhesh Chaudhari Resident Of Village-
Thepaha, P.O.- Thepaha, P.S.- Jiradei, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 53888 of 2022)

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Anil Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 57005 of 2022)

For the Petitioner/s : Mr.Dhananjay Kumar Shahi

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-11-2022 At the outset, learned counsel for the petitioners seeks

permission to make correction in the first paragraph of the bail

application of Cr. Misc. No.53888 of 2022.

Permission is granted.

Learned counsel for the petitioners is directed to make

correction in the first paragraph of the bail application of Cr.

Misc. No.53888 of 2022 in course of the day.

Heard learned counsel for the petitioners and learned



APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a)/41(1)/45 of the Bihar Prohibition and Excise Act and Section 27 of the Arms Act.

315 litres of country made liquor was recovered from a Scorpio vehicle. One person was apprehended at the spot who disclosed the name of the petitioners and other accused persons.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from the conscious possession of the petitioners.

Petitioners are agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) each in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or



surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-02, Siwan in connection with Siwan Muffasil P.S. Case No.450 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

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

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

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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