

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57250 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- SISWAN District- Siwan

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1. Mithilesh Kr. Yadav @ Mithilesh Yadav S/O Ras Narayan Yadav R/O Village- Gangpur Siswan, P.S- Siswan, Distt.- Siwan.
 2. Jitendra Kumar Yadav @ Jitendra Yadav @ Litan Yadav S/O Ras Narayan Yadav R/O Village- Gangpur Siswan, P.S- Siswan, Distt.- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2.The petitioners apprehend their arrest in connection with Siswan P.S. Case No. 175 of 2023 registered for the offence punishable under Sections 30(a) and 34 of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, there is recovery of 5.600 litres country made foreign liquor from the joint house of the petitioners.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence and have falsely been implicated in this case. It is submitted that



petitioners name transpires in this case on disclosure of local people. They were neither present at the place of recovery nor the seized prohibited liquor belongs to the petitioners. The petitioners have no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners above named 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Exclusive Special Judge, Excise Court No.-II, Siwan in connection with Siswan P.S. Case No. 175 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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