

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40658 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -EKMA District- SARAN

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1. Umesh Prasad Son of late Sipahi Prasad`
2. Satyendra Singh Son of Janardan Singh Both Resident of Village-
Maney, PS Ekma, Distt Saran, Chapra

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Murlidhar

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 03-10-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

146 bottles containing near about 36 litres Indian
made foreign liquor were recovered from a truck which was being
driven by petitioner no. 1 whereas petitioner no. 2 was working as
Khalasi. The petitioners were made accused for the offences
punishable under Sections 272, 273 of the Indian Penal Code and
Section 47 of Bihar Excise Act.

Petitioners do not have any criminal antecedent and
are languishing in jail custody since 26.07.2016. Moreover, the
Bihar Excise Amendment Act, 2016 has already been declared
ultra vires by a Division Bench of this Court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Shri Divya Prakash, Judicial Magistrate, Saran at Chapra in connection with Ekma P.S. Case No. 131 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

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