

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21873 of 2016

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1. Jawahar Sahani @ Jawahir Sahani Son of Saryug Sahani
2. Mukul Das Son of Yogesh Das Both are residents of Village- Rulhi, PS
Muffasil, District East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-05-2016

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners are in custody since 12.04.2016 in connection with Excise Case No. 72 of 2016 for the offence alleged under Section 47(A) of the Excise Act.

3. It is submitted that the petitioners have been falsely implicated as except the accusation in the written report, there is no material to connect the petitioners with the alleged offence. The petitioners were not examined by the doctor nor by any medical officer nor there is any medical report to show that the petitioners were intoxicated. Even otherwise it is submitted that recovery of wine was only of small quantity and it is submitted that the same has been recovered in front of the house of co-accused Sahdeo Ram and not from the possession of the petitioners.

4. Having regard to the entirety of the facts and circumstances of the case, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Excise Case No. 72 of 2016.

(Vikash Jain, J)

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