

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53033 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Suraj Kumar s/o Sudama Upadhaya r/o Ilamaram Chowk P.S. Bettia
Town District West Champaran.
2. Chandra Kumar s/o Arvind Sah @ Arvind Prasad r/o Kalibag Barrhai
Tola, P.S. Kalibag (O.P.) District West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are in judicial custody since
03.09.2016 in connection with Belchar P.S.Case No. 57 of 2016
for the alleged offence under Sections 47(a) and 57 of the Bihar
Excise Act,1916.

The prosecution case is that the police apprehended
one Ranjan Kumar on whose vehicle 130 litres of Nepali Soffee
wine was found. Accordingly a seizure list was prepared. The said
Ranjan Kumar on being apprehended named these petitioners and
others.

It has further been submitted by the learned counsel



for the petitioners that they are innocent and have falsely been implicated in the aforesaid case. He further submits that they have no criminal history except Purushottampur P.S.Case No. 46 of 2016 which was registered against them on the same day for the same offence. It has further been submitted that Ranjan Kumar has been granted privilege of bail by a coordinate bench of this Court in Cr. Misc. No. 45825 of 2016 on 16.11.2016 on whose possession the alleged country made wine was recovered.

However, learned A.P.P. for the State opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and that another co-accused has since been granted privilege of bail, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Sri N.P.Singh, learned Judicial Magistrate, 1st Class, Bettiah, West Champaran in Belchar P.S.Case No.57 of 2016.

(Nilu Agrawal, J)

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