

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53032 of 2016

Arising Out of PS.Case No. -371 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
WESTCHAMPARAN(BETTIAH)

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1. Ajay Sah @ Ajay Saha Son of Rameshwar Sah.
2. Pankaj Sah Son of Rameshwar Sah. Both are resident of Village-
Bhikhanathori, P.S.- Sahodara, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

The petitioners are in judicial custody since
14.10.2016 in connection with Excise Case No. 371 of 2016 for
the alleged offence under Section 30 (A) of Bihar Excise
(Amendment) Act,2016.

The prosecution case, as lodged by the Excise
Department, is that the petitioners were apprehended on the road
in a motorcycle carrying plastic bag containing, about 60 litres of
country made wine. Accordingly, a seizure list was prepared.

It has been submitted on behalf of the petitioners
that one of the petitioners is a handicapped having no leg and it is



not possible to carry 60 liters of wine in a motorcycle. It has further been submitted that the petitioners have no criminal history. They are ready to abide by the terms and conditions in course of granting bail.

However, learned A.P.P. for the State submits that the petitioners are named in the FIR, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and submissions of the parties, let above named petitioners be released 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 learned C.J.M., Bettiah in Excise P.S.Case No. 371 of 2016, subject to the conditions that one of the bailors must be a close relative and other bailor must have sufficient immovable property within the jurisdiction of the court concerned/police station and hat the petitioners shall. appear before the learned court below as and when required by the court, failure of which will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

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