

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1025 of 2017

Arising Out of PS.Case No. -839 Year- 2016 Thana -BANKA District- BANKA

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1. Pappu Paswan, Son of late Kalicharan Paswan.
2. Rupesh Yadav @ Moujar, Son of Jahendra Yadav. Both are residents of
Village- Ghoshpur, P.S.- Barahat, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjay Kumar Jha, Advocate.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-02-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
16.10.2016 in connection with Banka (Barahat) P.S. Case No. 839
of 2016 for the offences instituted under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police
recovered 12 bottles Royal Stag containing 750 Ml. each and 03
bottles containing 375 Ml. each from possession of the petitioners.

It has been submitted on behalf of the petitioners that the
petitioners are in custody since 16.10.2016 and the charge sheet
has been submitted in the present case. There is no allegation of



tampering of the witnesses alleged against the petitioners. It is alleged that approximately 10 liters of foreign liquor is said to have been recovered from possession of the petitioners. No compliance of Section 100 Cr. P.C. has been followed in the present case.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned C.J.M., Banka, in connection with Banka (Barahat) P.S. Case No. 839 of 2016.

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(Sudhir Singh, J)

