

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3089 of 2017

Arising Out of PS.Case No. -262 Year- 2016 Thana -DIGHA District- PATNA

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1. Prabhu Kumar, S/o Anirudh Prasad, R/o Akopur, P.S.- Arwal Town, District-Arwal, A/P near Kheja Imali Bazar, Phulwarisharif, P.s.- Phulwarisharif, District- Patna
 2. Lal Babu Bhagat @ Lal Babu Bhakt, S/o late Ramdarsh Bhagat, R/o Pandit Jigan, P.S.- Bhore, District- Gopalganj Petitioners
- Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Raj Bansh Dubey, Advocate
For the Opposite Party : Mr. Ram Bachan Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-02-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 35 (A) of Prohibition of Excise Act, 2016.

It is alleged that on the date of occurrence, on seeing the police party, the driver of one Wagoner Car tried to escape with the car who was apprehended and total 39 liters of foreign liquor was recovered as mentioned in the seizure list. Both these petitioners were found sitting in the aforesaid car.

It has been submitted that both the petitioners are in custody since 13.10.2016. It has further been submitted that they were not the owner of the Wagoner Car. They were sitting just as a passenger. From the written report, it is not clear that these



petitioners were the owner of the aforesaid car. It is only mentioned in the written report that these petitioners were sitting in the vehicle and could not produce the paper.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, 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 Judicial Magistrate, Patna, in connection with Digha P.S. Case No. 262 of 2016, subject to the condition that both the bailors will be the close relative of the petitioners.

(Sanjay Priya, J.)

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