

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5701 of 2017

Arising Out of PS.Case No. -304 Year- 2016 Thana -BIRPUR District- SUPAUL

- =====
1. Dular Mahto , Son of Dharo Mahto
 2. Laxman Mahto, Son of Dular Mahto Both are Resident of Village-
Barantpur Ward no.6, P.S. Birpur, District-Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in judicial custody since
04.12.2016 in connection with Birpur P.S. Case No. 304 of 2016
registered for the offence punishable under Sections 38(i),
41(1)(2) of the of the Bihar Excise (Amendment) Act, 2016.

The prosecution case is that the police conducted raid
in the house of the petitioners and recovered 8.640 litres and 7.500
litres of Nepali wine from petitioner no.1 and petitioner no.2
respectively, who are father and son.

It has been submitted by the learned counsel for the
petitioners that they are innocent, have no criminal antecedent and
have been falsely implicated in the aforesaid case. It has further



been submitted that nothing has been recovered from the conscious possession of the petitioners.

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

Considering the facts and circumstances and the materials on record, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Birpur P.S.Case No.304 of 2016.

(Nilu Agrawal, J.)

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