

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21433 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -LAUKHA District- MADHUBANI

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1. Rambilash Pauddar @ Ram Bilash Pauddar Son of late Tanuk Lal Pauddar Resident of Village- Arnama, P.S. laukaha, District- Madhubani

2. Ajay Kumar Mandal S/o Shambhu Mandal Resident of Village- Channipur, P.S. Laukaha, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Smt. Pronati Singh, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

5 24-07-2017 Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners are languishing in jail since 11.02.2017 in a case registered for the offences punishable under Sections 35 (c) (d) and (e) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as lodged by the police personnel along with the Excise officials is that a tempo was stopped and searched and 20 cartoons, each containing 12 bottle of beer like substance was found. The petitioners were apprehended by the police.

It has been submitted by the learned counsel for the petitioners that they are innocent having no criminal history and



they have been falsely dragged in the aforesaid offence. It has further been submitted that nothing has been recovered from the conscious possession of the petitioners and that charge sheet has already been submitted hence, there is no chance of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case and materials on record, let the petitioners, above named, be released on furnishing bail bonds of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur, Madhubani in connection with Laukaha P.S. Case No. 23 of 2017.

(Nilu Agrawal, J)

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