

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25383 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -ATHMALGOLA District- PATNA

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1. Mukesh Kumar, Son of Tripurari Prasad,
2. Rajesh Kumar, Son of Hazari Prasad,
Both are resident of Village Naya Tola Madhoypur, P.S.- Bakhtiyarpur,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjit Kumar Yadav, Advocate.

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

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

The petitioners are seeking bail in Athmalgola P.S.
Case No. 52 of 2017 registered under Sections 30(a) of Bihar
Prohibition Excise Act, 2016.

The allegation as contained in the F.I.R. would show
that the petitioners and other accused persons were apprehended
by the patrolling party while they vacuumed the train and was
consigning the liquor. The recovery is that of 600 pieces of 200 ml
country made spicy liquor.

Learned counsel for the petitioners has placed before
me a certified copy of the order dated 24.05.2017 passed in Cr.



Misc. No. 23839/2017 (Shekhar Kumar v. The State of Bihar). It is submitted that the co-accused Shekhar Kumar has already been granted regular bail by a co-ordinate bench of this Court. He is, however, unable to submit as to whether any chargesheet has been filed or investigation is over at this stage.

The learned A.P.P. opposed the prayer for bail but accepts the position as stated in Para 3 of the application that the petitioner has no criminal antecedents.

Considering the nature of allegations against the petitioners and that the investigation is still going on, I would direct that the petitioners, namely, Mukesh Kumar and Rajesh Kumar be released on bail on completion of three months period in custody on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Patna in Athmalgola P.S. Case No. 52 of 2017.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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