

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25834 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -PARWATTA District- KHAGARIA

- =====
1. Guddu Kumar Son of -Ramchandra Sah
 2. Bablu Sah Son of Late Laxmi Sah Both Resident of Village-Madhurapur Narayanpur, P.S.-Bhawanipur (Bidhur), District-Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate
Mr. Raja Surendra Mohan, Advocate
Mr. Abhijit Gautam, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners are languishing in judicial custody since 15.04.2017 in connection with Parbatta (Bharatkhand) P.S. Case No. 128 of 2017, G.R. No. 1053 of 2017 registered for the offence punishable under Sections 30(A) and 37(A) of the Bihar Prohibition and Excise Act.

The prosecution case, as lodged by the police personnel, is that on a secret tip-off, motorcycle of the petitioners was searched and 48 bottles of 180 ML and 5 bottles of 750 ML of the foreign liquor were recovered. Breath Analyser Test of the petitioners was conducted and the smell of wine came, hence,



petitioners were apprehended and remanded to judicial custody.

It is submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and nothing incriminating has been recovered from their conscious possession.

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

Be that as it may, considering the facts and circumstances and the materials on record, let the petitioners, named above, 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 Sessions Judge-III, Khagaria in connection with Parbatta (Bharatkhand) P.S. Case No. 128 of 2017, G.R. No. 1053 of 2017.

(Nilu Agrawal, J.)

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