

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26035 of 2017

Arising Out of PS.Case No. -92 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

- =====
1. Raj Kumar Singh, Son of Bipin Bihari Singh, resident of Village- Chanda Kewatiya, P.S. Bihiya, District- Bhojpur.
 2. Satish Tiwari, Son of Bedanand Tiwari, resident of Village- Dhamwal, P.S.- Sahpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

Petitioners are languishing in custody since 01.03.2017
in connection with Gaya Excise Case No. 92/17 for the offences
alleged under Section 30(a) of the Excise Act.

The prosecution case, as lodged by the Sub-Inspector of
Excise, is that on checking of vehicles while on duty 270 litres of
3X Rum was found. Accordingly, a seizure-list was prepared and
the petitioners were arrested.

It has been submitted by the learned counsel for the
petitioner that they are innocent, bear no criminal history and that
the vehicle does not belong to them and nothing has been



recovered from their conscious possession. He submits that the provision of Section 100 Cr.P.C. has not been adhered to.

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

Be that as it may, considering the period of custody, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Gaya, in connection with Gaya Excise Act Case No. 92/17.

(Nilu Agrawal, J)

Rajesh/-

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