

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47315 of 2017

Arising Out of PS.Case No. -558 Year- 2017 Thana -KANKARBAGH District- PATNA

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1. Sahil Kumar, Son of Sanjit Prasad,
 2. Raja Kumar Son of Kailash Prasad,
 3. Vicky Kumar Son of Chandradip Yadav, All are R/o Mohalla-Machharhata Gah (Pama City), P.S.- Khajckala, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Niraj Kumar, Advocate.

For the Opposite Party : Smt Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are languishing in custody since 31.07.2017 in a case for the offence registered under Sections 272, 273 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 113 liters of foreign liquor was recovered from the vehicle which was kept in the house of co-accused Ram Dayal Sah.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioners. 113 liters of foreign liquor is said to have been recovered from the vehicle which was kept in the house of co-accused Ram Dayal Sah. It is further submitted that the said liquor was not recovered from conscious possession of the petitioners and the petitioners had no knowledge regarding the same. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail 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 Special Judge, Special Court, Excise, Patna, in connection with Kankarbagh P.S. Case No. 558 of 2017 (Spl. Case No. 4438/2017).

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(Sudhir Singh, J)

