

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39959 of 2017**

Arising Out of PS.Case No. -306 Year- 2017 Thana -BARACHATTI District- GAYA

- =====
1. Shiv Kumar, S/o Late Bhola Prasad, Resident of Village- Chhotki Nawada, P.S. Delha, District- Gaya.
  2. Rahul Kumar, S/o Ashok Singh, Resident of Village- Hirapur, Police Station- Town (Dhanbad), District- Dhanbad.

.... .... Petitioners/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioners/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

- 2      22-08-2017      The petitioners seek regular bail in connection with Barachatti P.S. Case No. 306 of 2017, registered for offences punishable under Sections 272, 273 and 120(B) of Indian Penal Code and Section 30(a), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of altogether 144 litres of both country made as well as foreing liquor from the possession of the petitioners.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and have no criminal antecedent and have been in judicial custody since 30.05.2017.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of allegation and also that petitioners have no criminal antecedent and has remained in custody for two and half months, as such, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Barachatti P.S. Case No. 306 of 2017.

It is made clear that if the petitioners again found involved in any of the like offences, in future, prosecution will be free to move for cancellation of their bail bonds.

**(Vinod Kumar Sinha, J)**

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