

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57936 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -TEDHAGACHH District- KISANGANJ

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1. Noushad son of Sajjad
 2. Safiyan alias Sufiyan son of Dalbut alias Safique Both residents of village Sonapur P.S. Sikti, District Araria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 17.09.2017 and 16.10.2017 respectively in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that 51.300 liters wine is said to have been recovered.

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



petitioners. The petitioners have falsely been implicated in the present case. It is alleged that 51.300 liters wine is recovered from the vehicle in question. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is 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 1st Additional District and Sessions Judge-cum-Special Judge (Excise), Kishanganj, in connection with Terhagachh P.S. Case No. 81 of 2016, giving rise to Special Case No. 419 of 2017.

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(Sudhir Singh, J)