

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.655 of 2017

Arising Out of PS.Case No. -186 Year- 2016 Thana -BAUSI District- PURNIA

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1. Suresh Kamat @ Suresh Mandal @ Suresh Kumar @ Suresh Katma, S/o Sukdeo Kamat, village- Maldah (ward No. 1), P.S. + District- Supaul.
2. Balram Yadav, S/o Shiv Narayan Yadav, Village- Chain Singh Patti (Ward No. 4), P.S. + District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 11-01-2017 Heard both sides.

The petitioners seek bail in Baisi P.S. Case No. 186/2016, registered for the offences punishable under Section 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The informant in course of patrolling duty apprehended these petitioners who were travelling in Tata Indigo vehicle and in course of search of the said vehicle, 146 bottles, each containing one litre Whisky, kept in four Jute bags and 24 bottles, each containing 500 ml foreign liquor, kept in cartons were recovered.

Learned counsel for the petitioners has submitted that the driver and the owner of the vehicle were also going in the said



vehicle who escaped from the vehicle leaving the vehicle and the police party apprehended these petitioners. These petitioners were simply passengers who were returning to their village. They have no concern with the said wine or the vehicle.

Learned Additional P.P. opposed the submission on the ground of recovery of large scale of wine from the vehicle.

It appears from the FIR itself that the driver and the occupant of the vehicle escaped leaving the vehicle on the spot. These petitioners were also in the said vehicle and they claim no manner of concern with the recovered wine and the said vehicle. Petitioners have remained in custody for more than two months.

Considering the facts aforesaid, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Judge II-cum-Additional Chief Judicial Magistrate, Purnia in connection with Baisi P.S. Case No. 186/2016.

(Sanjay Kumar, J.)

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