

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23528 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -DAGARUA District- PURNIA

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1. Vikki Kumar @ Vikey Kumar Son of Umesh Prasad Chaurasiya
2. Gulshan Kumar @ Gulshan Kumar Rishi Son of Naresh Rishi Both
Resident of Village-Chethriya pir P.S. Korha District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-06-2017 The petitioners are in custody since 15.04.2017 in connection with Dagarua P.S. Case No. 44 of 2017, registered for offences punishable under Section 273 of Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is of recovery of 27 litres of foreign liquor.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and nothing has been recovered from their conscious possession. Moreover, petitioners have sufficiently been punished for the said offence as they have remained in judicial custody for more than two months and have no criminal antecedents.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, quantity of liquor recovered and also that petitioners have no criminal antecedents and have remained in custody for more than two 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 2nd Additional Sessions Judge-cum-Special Judge, (Excise Act) Purnea, in connection with Dagarua P.S. Case No. 44 of 2017.

It is made clear 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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