

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26659 of 2017

Arising Out of PS.Case No. -108 Year- 2017 Thana -AJAMNAGAR District- KATIHAR

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1. Chhotu Nuniya S/o- Sawan Muniya, R/o- Naya Tola, Jalkumhar, P.S.- Barsoi.
2. Ajit Kumar Das S/o- Akal Das, R/o- Hat Bogra, P.S.- Abadpur, Both are District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-06-2017 The petitioners are in custody since 08.03.2017 in connection with Azamnagar P.S. Case No. 108 of 2017, registered for offences punishable under Sections 272, 273/34 Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Allegation is of recovery of 37 litres of wine.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and nothing has been recovered as is evident from the seizure list, where there is no signature of the witnesses. Moreover, there is allegation of recovery of only 37 litres of wine, for which petitioners have sufficiently been punished as they have remained in judicial custody for more than three 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 antecedent and have remained in custody for more than three months, as such, let the petitioner 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 A.D.J –II-cum-Special Judge, Katihar, in connection Azamnagar P.S. Case No. 108 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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