

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30364 of 2017

Arising Out of PS.Case No. -43 Year- 2017 Thana -HULASGANJ District- JEHANABAD

- =====
1. Gopal Yadav, Son of Punit Yadav.
 2. Chhotu Kumar Yadav, Son of Late Prayag Yadav. Both Resident of Village-Barhi Purhara, P.S.-Barhi, District-Hazaribagh (Jharkhand).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Lakshmi Kant Sharma, Advocate.

For the Opposite Party : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 18.04.2017 in connection with Excise Case No. 446 of 2017, arising out of Hulasganj P.S. Case No. 43 of 2017 for the offences instituted under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the police recovered a huge quantity of wine from the truck driven by the petitioner no. 1, whereupon petitioner no. 2 was also boarded.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 18.04.2017 and the charge sheet



has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. 198 liters of foreign liquor is said to have been recovered from the truck driven by the petitioner no. 1, whereupon the petitioner no. 2 was also boarded. No compliance of Section 100 Cr. P.C. has been made in the present case.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released 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 Sessions Judge-II, Jehanabad, in connection with Excise Case No. 446 of 2017, arising out of Hulasganj P.S. Case No. 43 of 2017.

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(Sudhir Singh, J)

