

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58093 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -GADHPURA District- BEGUSARAI

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1. Rahul Kumar, S/o Sri Prabhas Chandra Rai, R/o Village- Patsa, P.S.- Hasanpur, Distt.- Samastipur.
 2. Jay Kumar S/o Sri Bihari Paswan, R/o Village- Dewdha, P.S.- Hasanpur, Distt.- Samastipur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Kumar Kaushlendra, Advocate.

For the Opposite Party : Smt. Suman Kumari Singh, Advocate.

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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
07.10.2017 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 62 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 62 liters wine is recovered from the car in question. The petitioner no. 1 was the driver and petitioner no. 2 was a passenger of the said car. The petitioners had no knowledge regarding the wine being kept in the car. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is 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 bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge (Bihar Prohibition & Excise Act), Begusarai, in connection with Garhpura P.S. Case No. 101 of 2017.

U.K./-

(Sudhir Singh, J)

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