

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56379 of 2017

Arising Out of PS. Case No.-163 Year-2017 Thana- MUFFASIL District- Aurangabad

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1. Shahendra Prasad @ Sahendra Prasad, S/o Late Ram Briksh Prasad
 2. Ranjeet Prasad, S/o Shahendra Prasad @ Sahendra Prasad,
Both R/o Village- Tendua Pokhar, P.S.- Muffasil Aurangabad,
Dist- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Avanish Kumar Singh
For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2017 Heard Sri Avanish Kumar Singh, learned counsel for the
petitioners and learned Additional Public Prosecutor.

Two petitioners, who are father and son respectively and are in custody since 16.09.2017 and 23.09.2017 respectively in connection with Muffasil (Aurangabad) P.S. Case No. 163 of 2017 , G.R. No. 1185 of 2017 registered for the offence under section 30(a) , 38(1)(2) of the Bihar Prohibition and Excise Act , 2016 have prayed for grant of bail.

By way of referring to the F.I.R., learned counsel for the petitioners has argued that it is a peculiar case in which recovery of 220 liters of country made liquor kept in bags was shown from the gate of the petitioners. He submits that the accusation



appears to be not probable keeping in view the fact that considering the stringent law relating to liquor, no one will keep such huge quantity of liquor outside his house. Learned counsel for the petitioners has also drawn my attention to the statement made in paragraph no. 3 of the petition to show both the petitioners are having clean antecedent.

Considering the nature of accusation, clean antecedent as well as period of custody, let both the petitioners Shahendra Prasad @ Sahendra Prasad and Ranjeet Prasad 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 learned Additional Sessions Judge VII – cum – Special Judge (Excise), Aurangabad / concerned court in connection with Muffasil (Aurangabad) P.S. Case No. 163 of 2017, G.R. No. 1185 of 2017.

(Rakesh Kumar, J)

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