

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60878 of 2017

Arising Out of PS.Case No. -863 Year- 2017 Thana -KHAZANIHAT District- PURNIA

- =====
1. Rakesh Kumar, son of Tuntun Kamti, resident of village – Mahboob Khan Tola, P.S.- K. Hat (Sahayak), District- Purnea.
 2. Masud Anjar, son of Abubakar
 3. Parwez Alam @ Chotu, son of Abubakar, both resident of village- Mobarak Tola, P.S.- Korha, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2017

Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners seek regular bail in connection with K. Hat (Sahayak) P.S. Case No.863 of 2017 corresponding to Special Excise Case No.2866 of 2017 instituted for the offences under Sections 272/273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 67.2 litres of foreign liquor from two Tata Indica Cars upon being apprehended by the police.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case



inasmuch as he is neither the owner of the Tata Indica vehicle nor the driver and nothing has been recovered from their conscious possession. It is further submitted that the petitioners have got a clean antecedent and are in custody since 20.11.2017.

Considering the nature of accusation, the period of custody already undergone and the fact that they have got a clean antecedent, I direct the petitioners named above to be released on regular bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge-Cum-Special Excise Judge, Purnea in connection with K. Hat (Sahayak) P.S. Case No.863 of 2017 corresponding to Special Excise Case No.2866 of 2017.

(Mohit Kumar Shah, J)

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