

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27771 of 2017

Arising Out of PS.Case No. -227 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Rakesh Kumar S/o Rajkumar Tanti R/o Mohalla Khand Par, P.S.+ District Sheikhpura.
 2. Rahul Kumar S/o Lalo Prasad R/o Mohalla Budhauri, P.S.+ District-Sheikhpura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr.

For the Opposite Party : Mr.

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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 26.05.2017 in connection with Excise Case No. 450/2017, arising out of Sheikhpura P.S. Case No. 227 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 on 26.05.2017, the police got information that the petitioner has brought an assignment of liquor and was disposing the same near his house. On this information, the police on night patrolling duty rushed there and found the information true. Three persons were



disposing something under the ground and the accused persons fled away but the police caught two of them. While third managed to escape. On search, recovered 17 bottles of foreign liquor in 750 ML each total 12,750 ML. Seizure list was prepared on the spot. Hence, this F.I.R.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 26.05.2017. There is no allegation of tampering of the witnesses alleged against the petitioners. They have got no criminal antecedent. 12.75 liters of foreign liquor is said to have been recovered. 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 Ist Additional District & Sessions Judge, Sheikhpura, in connection with Excise Case No. 450/2017, arising out of Sheikhpura P.S. Case No.227/2017.

(Sudhir Singh, J)

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