

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9519 of 2018

Arising Out of PS. Case No.-320 Year-2017 Thana- GOPALPUR District- Bhagalpur

1. Prakash Mandal, son of Nago Mandal @ Nage Mandal
2. Rajesh Mandal, son of Nago Mandal @ Nage Mandal
Both resident of village Uasraihiya, P.s.- Rangra, O.P., District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. PARMESHWAR MEHTA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seeks bail in a case instituted for the offences under Sections 30(A)(D) and 38(i)(ii) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 1025 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 22.12.2017 and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 1025 liters wine along with raw wine is recovered from the hut of the



petitioner in an abandoned state. Petitioner had no knowledge regarding the said liquor kept in the said hut. 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./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned 4th A.D.J.-cum-Special Judge, Excise, Bhagalpur in connection with Gopalpur (Rangra) P.S. Case No. 320 of 2017.

(Sudhir Singh, J)

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