

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28041 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- BIRPUR District- Supaul

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1. Guddu Kumar Mishra @ Guddu Mishra, S/o Dhananjay Mishra,
2. Bhim Kumar Paswan, S/o Ramswaroop Paswan
Both are residents of Village- Bhimnagar, P.S.- Birpur, Distt.-
Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Murari Narain Chaudhary

For the Opposite Party/s : A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 08-05-2018 Heard Sri Murari Narain Chaudhary, learned counsel
for the petitioners and learned Additional Public Prosecutor.

Two petitioners, with clean antecedent, which fact has been stated in paragraph no. 3 of the petition and in custody since 8.4.2018 , have prayed for grant of bail in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 81 of 2018 / ST Excise Case No. 296 of 2018 , registered for the offence under Sections 30(A), 38(i)(ii) and 41(i)(ii) of the Bihar Prohibition and Excise Act, 2016 .

It was submitted by learned counsel for the petitioners that on false accusation of recovery of 18 liters of Nepali Soufi wine both petitioners were arrested . It has been argued that it was alleged as if petitioners were carrying Nepali



Soufi wine on a motorcycle which was intercepted by Police and recovery was shown. Learned counsel for petitioners submits that both petitioners have falsely been implicated and both are having clean antecedent.

Be that as it may, considering the nature of accusation and clean antecedent of petitioners, let both petitioners namely Guddu Kumar Mishra @ Guddu Mishra and Bhim Kumar Paswan be enlarged on 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 Addl. District and Sessions Judge 2nd cum Special Judge, Excise, Supaul/ concerned court in connection with S.T. Excise Case No. 296 of 2018 arising out of Birpur (Bhimnagar O.P.) P.S. Case No. 81 of 2018 .

(Rakesh Kumar, J)

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