

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2543 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- KALER District- Jehanabad

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1. Sanjiv Kumar, S/o Nawal Kishore Rai, R/o Village- Korlahiya, P.S.- Runni Shaidpur, District- Sitamarhi.
 2. Ajay Kumar S/o Sukhdeo Rai, R/o Village- Rampur (South), P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. DASHRATH MEHTA

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 1285 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 13.10.2017 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. The name of the petitioners has come on the confessional statement of co-



accused Keshav Deo. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. It is alleged that 1285 liters wine is recovered from the truck. The truck in question does not belong to the petitioners. The petitioners had no knowledge regarding the alleged incident. Nothing incriminating has been recovered from the conscious possession of the petitioners. 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 Additional Sessions Judge II, Jehanabad in connection with Excise case No.1115 of 2017 arising out of Kaler P.S. case No.29 of 2017.

(Sudhir Singh, J)

Narendra/-

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