

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62079 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- KHUSRUPUR District- Patna

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1. Tuntun Kumar, Son of Late Ram Ekwai Rai,
 2. Indrajit Kumar, Son of Ganesh Rai, Both resident of Village-
Purushottampur (Puruttampur), P.S.- Raghapur, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar

For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-10-2018 Heard learned counsel for the parties.

The petitioners seek bail in Special Case No. 7812/2018, arising out of Khusrupur P.S. Case No. 202 of 2018, registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The police are said to have recovered 40 liters of Mahua country made wine. Allegedly, two persons were sitting in a motorcycle with the said wine but upon seeing the police, they fled away leaving behind the motorcycle and the wine. The petitioners were, however, subsequently apprehended by the police.

Learned counsel appearing on behalf of the petitioners



contends that it is not apparent from the First Information Report that recovery was made from the possession of these petitioners. It has also been argued that the petitioners have no criminal antecedent. He further submits that if they are again implicated in similar type of offence, the Court may consider cancellation of their bail, if allowed in the present case.

Considering the above submission, this application is allowed.

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 Special Judge, Excise Act, Patna in connection with Special Case No. 7812/2018, arising out of Khusrupur P.S. Case No. 202 of 2018.

(Chakradhari Sharan Singh, J)

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