

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31247 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- MAGADH UNIVERSITY District- Gaya

1. Satyendra Prasad Gupta S/o Sitaram Prasad Gupta R/o Vill- Jindapur, P.S. Magadh Vishwa Vidhayalay, Distt. Gaya.
2. Mamta Devi W/o Satyendra Prasad Gupta R/o Vill- Jindapur, P.S. Magadh Vishwa Vidhayalay, Distt. Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Guriya Nisha

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-06-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Magadh Vishwa Vidhayalay P.S. Case no. 47 of 2018, registered under Section 30(a)(d)/32(2) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty the informant, who is Sub-Inspector of Magadh Vishwa Vidhayalay found a tempo parked inside the road on which 30 Kg of Mahua Flower was loaded.

Learned counsel for the petitioners submits that, in fact, petitioners who are husband and wife are owner of the alleged tempo, which was parked in front of his house inside



the road and they had no knowledge about keeping of alleged Mahua Flower on their vehicle. Further submission is that the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Gaya in connection with Magadh Vishwa Vidhayalay P.S. Case No.47 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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