

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21732 of 2018

Arising Out of PS. Case No.-57 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

=====

1. Dharmendra Rai, son of Ram Shovit Ray
2. Ram Bali Mahto, son of Parmeshwar Mahto
Both residents of village- Thahra Gopalpur, Police Station-
Tajpur (Waini O.P.), District-Samastipur

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar
For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-05-2018 Heard Sri Ranjan Kumar, learned counsel for the
petitioners and learned Addl. Public Prosecutor.

Two petitioners, who are in custody since 25.12.2017,
as stated in paragraph-10 of the petition, having clean
antecedent, which fact has been stated in paragraph-3 of the
petition, in Lakhisarai Excise P.S. Case No.57C2 of 2017
registered for the offence under Sections 30(a), 32(i), 38(i),
41(2) of the Bihar Prohibition and Excise Act, 2016, have
prayed for grant of bail.

Learned counsel for the petitioners, by way of
referring to the prosecution report, submits that both petitioners
were arrested from a pick-up van, which was loaded with



tomato and under tomato, huge quantity of Indian Make Foreign liquor was concealed. It was submitted by learned counsel for the petitioners that both petitioners were moving in the vehicle as passenger and they were not aware of wine loaded in the said vehicle, however after noticing the police, main driver tried to flee away and both petitioners were arrested as if petitioners and driver were carrying wine in the said vehicle.

Be that as it may, considering the nature of accusation, clean antecedent of both the petitioners as well as period of custody, let both the petitioners, namely, (i) Dharmendra Rai and (ii) Ram Bali Mahto, 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 learned Addl. District and Sessions Judge 2nd-cum-Special Judge (Excise), Lakhisarai in connection with Lakhisarai P.S. Case No.57C2/2017.

(Rakesh Kumar, J)

nawalkrs/-

U		T	
---	--	---	--

