

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4036 of 2018

Arising Out of PS.Case No. -276 Year- 2017 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

- =====
1. Vikash Kumar,
 2. Subhash Kumar. Both Sons of Late Nande Paswan, R/o Village-
Sahokhar P.S.- Sohsarai , District- Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Hansraj, Advocate.

For the Opposite Party : Mr. Bharat Lal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
14.12.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 40 liters
wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
Charge sheet/prosecution report has been submitted in this case.
There is no allegation of tampering with the witnesses alleged
against the petitioners. The petitioners have falsely been



implicated in the present case. It is alleged that total 40 liters wine is recovered from the front of the house of the petitioners which is an open field. The name of the petitioners has come on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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, let 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 the learned VIth Additional and Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Sohسرائ P.S. Case No. 276 of 2017.

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(Sudhir Singh, J)

