

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62403 of 2018

Arising Out of PS.Case No. -329 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
PURNIA

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1. Lalita Mahto, W/o Khesari Mahto, R/o Vill.- Alipur, P.S.- Alipur, Distt.- Jalpaiguri (W.B.).
2. Binda Devi W/o Late Soni Ray, R/o Vill.- Kuwari , P.S.- Waris Nagar, Distt.- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 06-10-2018 Heard the parties.

The petitioners seek bail in Baisi P.S. Case No.C-1 – 329 of 2018 arising out of Special Excise Case No.328 of 2018 registered for the offence under Section 30(A) of the Bihar Prohibition of Excise Act.

Accusation is that in course of checking of the vehicles both the petitioners were found sitting in the tempo and on search petitioner no.1 was found in possession of 19.890 liters of foreign liquor and petitioner no.2 was found in possession of 17.640 of foreign liquor.

Submission of the learned counsel for the petitioners is



that that both the petitioners were traveling on tempo but they have falsely been implicated in this case due to village politics. The alleged recovery has not been effected from their conscious possession and they had no knowledge about the liquor which was kept in the said tempo. Both the petitioners are in custody since 25.08.2018 having no criminal antecedent.

Heard the learned A.P.P. also who opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, as stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional District Judge-2nd, Special Excise, Purnea, in Baisi P.S. Case No.C-1-329 of 2018 / Special Excise Case No.328/18.

(Rajendra Kumar Mishra, J)

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