

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62640 of 2017

Arising Out of PS.Case No. -146 Year- 2017 Thana -SA SARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Banti Paswan, Son of Umesh Paswan,
2. Sandeep Paswan @ Sandeep Kumar Paswan, Son of Nageshwar Paswan,
Both resident of Village- Mishripur, P.S.- Sasaram (Muffasil), District-
Rohtas.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek bail in a case instituted under
Section 30(a) of Bihar Prohibition and Excise (Amendment) Act,
2016.

The prosecution case, in brief, is that 640 liters of
wine is recovered.

The petitioners are in custody since 01.11.2017.
Charge sheet has been submitted in the present case. The
petitioners have got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioners. It is
alleged that 640 liters of wine is recovered from open field in



abandoned stage. The name of the petitioners has come on the basis of secret information. The source and genuineness of secret information has not been disclosed by the prosecution. Nothing incriminating has been recovered from conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

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 Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram, in connection with Sasaram (Muffasil) P.S. Case No.146/2017.

(Sudhir Singh, J)

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