

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.201 of 2018

Arising Out of PS.Case No. -539 Year- 2017 Thana -PATRAKARNAGAR District- PATNA

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1. Rupesh Kumar, Son of Upendra Prasad Singh, Resident of Village- Ismailpur, P.O.- Sondhu, Police Station- Goraul, District- Vaishali.
 2. Ravi Raj @ Jaiki, Son of Kameshwar Prasad Singh, Resident of Village and Post Office- Baksama, Police Station- Goraul, District- Vaishali.
 3. Birju Kumar, Son of Shivnath Rai, Resident of Village- Gorigama, Post Office- Mahua, Police Station- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-01-2018 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Patrakar Nagar P.S. Case No. 539 of 2017 instituted for the offences punishable under Sections 30(ka), 30(kh) and 38/41 of the Bihar Prohibition of Excise Ordinance 2016 Act.

The case against the petitioners is that when they were apprehended by the police, 10 bottles of illicit liquor was recovered from them and further, a Bolero, which was following by them, was also apprehended and 180 bottles of 375 ML. each was recovered from the said Bolero vehicle.



The learned counsel for the petitioners submits that the petitioners are neither the owner nor the driver of the said Bolero vehicle and in fact, no recovery has been made from the conscious possession of the petitioners. It is further submitted that the petitioners have a clean antecedent and they are languishing in custody since 12.10.2017.

Considering the nature of accusation, the period of custody undergone and the fact that the petitioners are having a clean antecedent, I deem it fit and appropriate to enlarge the petitioner on regular. Accordingly, the petitioners are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna, in connection with Patrakar Nagar P.S. Case No. 539 of 2017.

(Mohit Kumar Shah, J)

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