

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2837 of 2018

Arising Out of PS.Case No. -1740 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
BHABHUA (KAIMUR)

- =====
1. Saroj Singh @ Saroj Kumar, S/o Late Ram Bahadur Singh,
 2. Bijendra Kumar Singh @ Vijendra Kumar Singh @ Vijendra Kumar S/o Late Padum Singh, Both R/o Village- Dharhara, P.S.- Natwar, District-Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Parijat Saurav, Advocate.

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-03-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since
17.11.2017 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 35.360
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.
Prosecution report has been submitted in the present 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 35.360 liters wine is recovered from the motorcycle. The said motorcycle was driving by petitioner no. 1 and petitioner no. 2 was the pillion rider. The name of the petitioners has come on the basis of alleged recovery made from the motorcycle in question. 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 Additional Sessions Judge 4th-cum-Special Judge, Excise Act, Kaimur at Bhabhua, in connection with Excise Case No. 1740 of 2017, arising out of Excise P.R. No. 86 of 2017-18.

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(Sudhir Singh, J)

