

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36054 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- FATEHPUR District- Kishanganj

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1. Bikash Kumar Sah Son of Sri Gayanand Sah resident of Village Sonarbasti, Kaliyaganj, Ward No. 5, P.S. - Palasi, District - Araria.
 2. Sunil Kumar Bishwas Son of Sri Baijnath Bishwas resident of Village - Gamhariya, P.S. - Terhagachh, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sri Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioners and learned learned Additional Public Prosecutor for the State.

The petitioners are in custody in connection with Fatehpur P.S. Case No. 09 of 2018, Special Case No. 155 of 2018 for the offenses under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are men of clean antecedent. They have been made accused in the instant case only because they have refused to be seizure list witnesses. The petitioners are not the owners of the seized motorcycles. They were on way to attend marriage ceremony of their relative and only on account of the fact that



they were riding on the motorcycles, they have been apprehended by the police. The owners of the motorcycles fled away and as such the petitioners were apprehended by the police. The petitioners have remained in custody for more than one month.

Considering the totality of the facts and circumstances, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II-cum- Special Judge (Excise), Kishanganj in connection with Fatehpur P.S. Case No. 09 of 2018, Special Case No. 155 of 2018.

(Anil Kumar Upadhyay, J)

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