

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4214 of 2018

Arising Out of PS.Case No. -275 Year- 2017 Thana -AMAS District- GAYA

- =====
1. Jitendra Kumar, S/o Late Ramchandra Saw.
 2. Bhola Sonar Bhola Sonkar @ Bhola Sonkhar S/o Late Dipak Sonar. @ Late Dipak Sonkar Both Resident of Village-Nagar, P.S.-Dihari, District-Rohtas.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Umeshanand Pandit, Advocate.

For the Opposite Party : Mr. Zainul Abedin, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are languishing in custody since 13.12.2017 in a case for the offence registered under Sections 272, 273/34 of the IPC and 30(a), 32(II) and 37 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 400 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. Charge sheet/prosecution report has been submitted in this 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 400 liters wine is recovered from the car in question. The car in question does not belong to the petitioners. The name of the petitioners has come as the petitioners were also sitting as co-passengers in the car in question. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the liquor kept in the car 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 Special Excise Judge, Gaya, in connection with Amas P.S. Case No. 275 of 2017.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)