

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10893 of 2018

- =====
1. Sanoj Kumar, S/o Late Jivnandan Rai,
 2. Rajeev Kumar, S/o Late Jivnandan Rai, Both resident of Village-Byahpur, Maner, P.S.- Maner, District- Patna.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Nawal Kishore Prasad, Advocate.

For the Opposite Party : Mr. Pranav Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 23.01.2018 in a case for the offence registered under Sections 30(a), 38 and 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 136 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. 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 136 liters wine is recovered from the Maruti Van in question. The Maruti



Van in question does not belong to the petitioners. The name of the petitioners has come on the basis of alleged recovery made from the vehicle 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 Barachatti P.S. Case No. 62 of 2018.

U.K./-

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

(Sudhir Singh, J)

