

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38899 of 2018

Arising Out of PS. Case No.-87 Year-2018 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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1. Nitish Kumar Son of Shobehlal Paswan
 2. Satish Kumar Son of Shobhelal Paswan
 3. Amarjeet Kumar Son of Moti Paswan @ Yaha Paswan All are residents of village - Shampur Gopalpur, P.S. - Shampur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s : Smt. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioners and learned
learned Additional Public Prosecutor for the State.

The petitioners are in custody in connection with Rail
(Bhagalpur) P.S. Case No. 87 of 2018. for the offenses under
Sections 30(D), 37(C) and 3/13 of the Bihar Prohibition &
Excise Act, 2016 and Bihar Excise Mahuwa Phool/leaf
Amendment Act, 2016.

Learned counsel for the petitioners submits that
petitioners have no criminal antecedent and they are in custody
since 1.5.2018 in connection with seizure of 245 Kg Mahua and
they were found in drunken condition. It is further submitted
that the aforesaid Mahua was not recovered from the conscious



possession of the petitioners and only on the basis of suspicion, they have been apprehended in this case as the aforesaid Mahua was recovered by the Rail Police in front of the Guard boggy.

Considering the fact that the petitioners have no criminal antecedent and they are in custody since 1.5.2018, let the petitioners, above named, be enlarged on bail after 16th July, 2018 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 2nd Additional District & Sessions Judge-cum- Special Judge (Excise), Bhagalpur in connection with Rail (Bhagalpur) P.S. Case No. 87 of 2018.

(Anil Kumar Upadhyay, J)

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