

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54801 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- RUPAULI District- Purnia

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1. Sohil Rishi, Son of Late Bouni Rishi.
 2. Shashi Rishi, Son of Fekan Rishi. Both are resident of Village- Bairiya, P.S. Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-09-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 55 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 11.7.2018 and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 55 liters wine is recovered from the tractor in question. The tractor



in question does not belong to the petitioner. The petitioner had no knowledge regarding the nature of goods kept on the tractor. 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, it is directed that 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 learned 2nd Additional Sessions Judge -cum- Special Judge, Purnea in connection with Special Excise Case No. 658/18 arising out of Rupauli P.S. Case No. 123 of 2018.

(Sudhir Singh, J)

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