

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3074 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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1. Nirbhay Kumar, Son of Shakaldeo Rai Resident of village Govindpur Jakhaha PS Bidupur District Vaishali
 2. Birchandra Kumarl, Son of Lakhan Singh Resident of village Mathurachak PS Bidupur District Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Satyadeo Singh Yadav, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-01-2019 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with C-2 Case No. 118 of 2018 instituted for the offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Approximately 424 litres of liquor is said to have been recovered from a truck and also kept on the ground. The implication of the petitioners in this case is on the basis of recovery of two motorcycles from near the place of seizure and those motorcycles are stated to be that of the petitioners.

Learned counsel for the petitioners has submitted that they are persons of clean antecedents



and they admit that the motorcycles found at the place of search and seizure were their vehicles which were parked by them. In fact the petitioners had gone to meet one of their relatives in the same village after parking their vehicle.

Considering the aforestated facts, especially that no recovery has been made from the constructive possession of the petitioners and their being persons of clean antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Vaishali at Hajipur in connection with C-2 Case No. 118 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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