

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10667 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. LAL BABU RAI AND ANR Son of Bhikhari Rai Resident of Village - Bhagwanpur, P.S-Parsauni, Dist.-Sitamarhi.
 2. Munna Sahni @ Munna Shani Son of Sukhari Sahni Resident of Village - Sundargama, PO- Bhagwanpur, P.S-Parsauni, Dist.-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 15.1.2019 in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the petitioners' possession, 27 litres Nepali country made liquor, namely, Saufi Wine were recovered.

It is submitted by learned counsel for the petitioners that the petitioners have maliciously been framed in the present case. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent. It is further submitted that signatures of the petitioners were taken on



the seizurelist forcefully.

Learned APP submits that the recovery has been made from the petitioner.

Considering the period in custody and the statement being made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ADJ II-cum-Special Judge, Sitamarhi in connection with Case No. C2-16/19.

(Dinesh Kumar Singh, J)

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