

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13872 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- DUMRAO District- Buxar

1. Pappu Yadav, aged about 32 years, S/o Sri Bramhdeo Yadav @ Brahmdev Yadav, R/o Village- Gayghat, P.S.- Simri, District- Buxar.
2. Shashi Bhushan Yadav @ Munsi Yadav, aged about 28 years, S/o Purnawasi Yadav @ Sribhagwan Singh, R/o Village- Gayghat, P.S.- Simri, District- Buxar.

... .. Petitioners

Versus

The State Of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Dr. Kamal Deo Sharma
For the Opposite Party	:	Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-04-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 20.01.2019 in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 6998.400 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. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have been made accused in the



present case due to mistake of fact. It is alleged that total 6998.400 liters wine is recovered from the Truck in question. The Truck in question does not belong to the petitioners. There is no compliance of Section 100 of 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 A.D.J.- II-cum-Special Judge, Excise Act, Buxar, in connection with Dumraon P.S. Case No. 23/2019.

(Sudhir Singh, J)

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