

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16765 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- KADAMKUAN District- Patna

1. Mithilesh Kumar, aged about 19 years, Male, Son of Bashishtha Mahto @ Vashishtha Mahto, Resident of Village - Jahangirpur, P.S.- Raghapur, Distt.- Vaishali.
2. Awadhesh Kumar, aged about 19 years, Male, Son of Gena Rai Resident of Village - Saidabad, P.S.- Raghapur, Distt.- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Raj Bansh Dubey, Advocate.
For the Opposite Party	:	Mr.Parmanand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 25.01.2019 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 300 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/prosecution report has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have



falsely been implicated in the present case. It is alleged that total 300 liters wine is recovered from the car in question. 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 Special Judge, Excise Act, Patna, in connection with Special Case No. 939 of 2019, arising out of Kadamkuan P.S. Case No. 59 of 2019.

(Sudhir Singh, J)

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