

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20478 of 2019

Arising Out of PS. Case No.-588 Year-2018 Thana- BAGHA District- West Champaran

1. BALIRAM RAM, Son of Jaglal Ram, Resident of Village - Kumhiya Bishunpurwa, P.O.- Kharpokhara, P.S.- Bagaha, District- West Champaran
2. Runjhun Ram, Son of Late Hira Ram, Resident of Village - Kumhiya Bishunpurwa, P.O.- Kharpokhara, P.S.- Bagaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary

For the Opposite Party/s : Md. Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are languishing in custody since 04.12.2018 in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that from the possession of petitioner no.1 Baliram Ram, 10 litres and petitioner no.2 Runjhun Ram, 08 litres of illicit country made liquor were



recovered.

It is submitted by learned counsel for the petitioners that the recovery has not been made from conscious physical possession of the petitioners. It is further submitted that the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the recovery has been made from the possession of the petitioners.

Considering the fact that the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners 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 learned **Special Judge, Excise, Bettiah, West Champaran** in connection with **Bagaha P.S. Case No.588 of 2018.**

(Dinesh Kumar Singh, J)

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