

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21385 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- PUNPUN District- Patna

1. PRINCE KUMAR @ BHEEM, Male, aged about 25 years, Son of Sanjay Singh Resident of Village - Pothahi, P.O.- Basuhar, P.S.- Punpun, Dist.- Patna.
2. Sanjay Singh, Male, aged about 50 years, Son of Late Shyam Narain Singh Resident of Village - Pothahi, P.O.- Basuhar, P.S.- Punpun, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chetanand Paswan, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-04-2019 Heard the learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Petitioners seek bail in connection with Special Case No.1944 of 2019 arising out of Punpun P.S.Case No.55 of 2019 for the offence alleged under Section 30(a) of the Bihar Excise Prohibition Act, 2016.

The prosecution case as lodged by the police personnel is that on secret information the motorcycle of the petitioners on which petitioner no.1 and co-accused Jitendra Kumar were riding, was intercepted and from the motorcycle 10.500 liters of Indian Made Foreign liquor was recovered. On confession of the petitioner no.1 his house was raided and 8.250



liters of illicit foreign liquor was recovered and the petitioner no.2 father of petitioner no.1 was found present in the house who did not give any satisfactory answer. Accordingly, two seizure lists were prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. He submits that nothing has been recovered from the conscious possession of the petitioners and they are languishing in judicial custody since 20.02.2019.

However, learned APP for the State opposes the prayer for bail stating therein that petitioner no.1 does not bear any criminal antecedent and is involved in one more case although for different offence.

Considering the nature of allegations, the materials on record as well as the period of custody, let the petitioners, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Special Case No.1944 of 2019 arising out of Punpun P.S.Case No.55 of 2019 to the satisfaction of learned Special Judge, Excise, Patna, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property, who will



file an affidavit stating their relationship with the petitioners.

(Nilu Agrawal, J)

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