

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25757 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

1. SURAJ KUMAR Son of Arjun Mahto
2. Rupesh Kumar Son of Sadan Mahto both Resident of Village – Chantha Barkhut, P.S.- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 22.03.2019 in connection with Vidyapati Nagar P.S. Case No. 30 of 2019 for offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a) and 47 of the Bihar Excise (Prohibition) Amendment Act, 2016.

The prosecution case as lodged by the police personnel is that the petitioners were apprehended in a motorcycle while on patrolling duty with 25.875 litres of illicit liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and



have been falsely implicated in the aforesaid case. He submits that nothing has been recovered from their conscious possession and that the petitioners have been victimized due to highhandedness of the police.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that petitioners do not bear any criminal antecedent as stated in para-3 of the present application, let the petitioners above named be enlarged 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 Additional District Judge, IInd-cum-Special Judge, Excise, Samastipur in connection with Vidyapati Nagar P.S. Case No. 30 of 2019.

(Nilu Agrawal, J)

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