

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.30867 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- GANDHIMAIDAN District- Patna

1. CHANDAN KUMAR, Male, aged about 20 years, Son of Shankar Sahani Resident of Mohalla - Bhattacharya Road, Banpur Tola, P.S.- Gandhi Maidan, District- Patna
2. Vishal Kumar, Male, aged about 21 years, Son of Anil Kumar Resident of Mohalla - Bhattacharya Road, Banpur Tola, P.S.- Gandhi Maidan, District- Patna

... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Manish Kumar No.2, Adv.
For the Opposite Party : Mr. Nand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-05-2019 Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the State.

The petitioners are languishing in judicial custody since 17.03.2019 in connection with Special Case No. 2884 of 2019 arising out of Gandhi Maidan P.S. Case No. 131 of 2019 for the offence alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police personnel, is that while on patrolling duty they received secret information that 5-6 persons have assembled in Bansal Tower and are consuming liquor, the police conducted a raid and apprehended four persons, including the petitioners, while one managed to flee. From the possession of petitioner no. 1 four bottles of 180 ml of illicit liquor along with Rs.2,000/- was recovered. From the possession of petitioner no. 2, 1.300 liters of illicit liquor with Rs.4,000/- was recovered. 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 the petitioners are languishing in judicial custody since nearly two months and have been sufficiently punished.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and that the petitioners do not bear any criminal antecedent, as stated in paragraph 3 of the present application, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Special Case No. 2884 of 2019 arising out of Gandhi Maidan P.S. Case No. 131 of 2019 to the satisfaction of the learned Special Judge, Excise, Patna, or the successor Court.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

