

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32809 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- KARJAIN District- Supaul

-
1. OM PRAKASH MEHTA Son of Gopal Mehta Resident of Village - Sitapur, Mauza - Hariraha, Ward No. 1, P.S.- Karjain, District- Supaul
 2. Shambhu Sharma Son of Laxman Sharma Resident of Village - Sitapur, Mauza - Hariraha, Ward No. 1, P.S.- Karjain, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmeshwar Mehta

For the Opposite Party/s : Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-05-2019 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Karjain P. S. Case No. 26 of 2019 instituted for the offence under Section 30(a), of the Bihar Prohibition and Excise Act, 2016.

It is alleged that police intercepted one Alto car and recovered total 288 litres of Nepali liquor from the back side of the seat and dickey of the said car. It is further alleged that petitioner no.1 was apprehended and he disclosed the name of petitioner no. 2.

Learned counsel for petitioners has submitted that nothing has been recovered from conscious possession of these



petitioners. Learned counsel further submits that search and seizure are made in complete violation of mandatory provisions of Section 100 Cr.P.C.

The petitioner no.1 is in custody since 11.3.2019 whereas petitioner no.2 is in custody since 12.3.2019.

Considering the aforesaid, let the petitioners, above named, 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 the Addl. Dist. and Sessions Judge-II-cum Spl. Judge, Excise Act, Supaul, in connection with Karjain P. S. Case No. 26 of 2019/ S.T. Excise case no. 155 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

shyambihari/-

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

