

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32695 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- MOHAMMADPUR District- Gopalganj

1. Mulayam Ray @ Mulayam Yadav @ Shyam Sundar Yadav, aged about 25 years, Son of Lalan Yadav, Resident of Village-Ajbi Nagar, P.S-Mohammadpur, District-Gopalganj.
2. Ankush Rawat @ Ankush Raut @ Ankush Kumar, aged about 22 years (Male), Son of Laxaman Rawat Resident of Village-Ajbi Nagar, P.S-Mohammadpur, District-Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Harendra Prasad, Advocate.
For the Opposite Party : Mr. Nand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are languishing in custody since 16.04.2019 in a case for the offence registered under Sections 30(a), 28 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1355.04 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 1355.04 liters wine is recovered from open field, Scorpio



vehicle and Motorcycles. None of them belongs to petitioners. The name of the petitioners has come in the present case on the basis of disclosure made by co-accused Ajay Rai. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District Judge-cum-Special Judge, Excise, Gopalganj, in connection with Mohammadpur P.S. Case No. 233 of 2018.

(Sudhir Singh, J)

U.K./-

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

