

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34139 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- ISUAPUR District- Saran

1. Chandan Kumar@Chandan Dubey@Prakash Kr. Dubey @ Prakash Dubey, Son of Sunil Kumar Dubey @ Tuntun Dubey, Resident of Village - Datra Pursauli, P.S.- Isuapur, Distt - Saran.
2. Mahesh Rai, Son of Baleshwar Rai, Resident of Village - Musehri, P.S.- Muffasil, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are in custody in connection with Isuapur P.S. Case No.24 of 2019 for the offences under Sections 30, 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that though the petitioners have criminal antecedent but none of the case belongs to Bihar Prohibition and Excise Act. He further submits that petitioner no.1 is in custody since 26.03.2019 and petitioner no.2 is in custody since 05.03.2019.

Learned counsel for the petitioners further submits that in the instant case total 238.635 liters liquor was recovered



from TATA 407. Nothing was recovered from the conscious possession of the petitioners.

Considering the fact that nothing was recovered from the conscious possession of the petitioners, the Court is inclined to grant bail to the petitioner. Let the petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of 09th Additional Sessions Judge-cum-Special Judge of Excise Act, Saran at Chapra, in connection with Isuapur P.S. Case No.24 of 2019.

(Anil Kumar Upadhyay, J)

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