

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39347 of 2019

Arising Out of PS. Case No.-211 Year-2019 Thana- PATNA RAIL P.S. District- Patna

1. Om Prakash @ Om Prakash Paswan, aged about 19 years (Male), Son of Hari Paswan, Resident of Village - Tetulmari, Near Durga Mandir Pandeydih, P.S.- Tetulmari, Distt - Dhanbad (Jharkhand).
2. Rakesh Kumar Chauhan @ Rakesh Kumar, aged about 18 years (Male), Son of Late Rajballav Chauhan, Resident of Village - Tetulmari, Pandedih Sonarbasti, P.S.- Tetulmari, Distt - Dhanbad (Jharkhand).

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Ashok Kumar Sinha, Advocate.
For the Opposite Party : Mr.Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 27.04.2019 in a case for the offence registered under Sections 273/34 of the IPC and 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 18 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. Charge sheet/ prosecution report has been submitted in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 18 liters wine is recovered from bags of the petitioners. 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 Special Judge, Excise, Patna, in connection with Special Case No. 4151 of 2019, arising out of Rail (Patna Junction) P.S. Case No. 211 of 2019.

(Sudhir Singh, J)

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