

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43772 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

1. Amarjeet Rai, (Male), aged about 42 years, Son of Yogi Rai, Resident of Village- Gudigama, P.S.- Saraiya, District- Muzaffarpur.
2. Sudhir Kumar, (Male), aged about 24 years, Son of Vinod Yadav, Resident of Village- Mahmmadpur, P.S.- Jale, District- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Surendra Kishore Thakur, Advocate.
For the Opposite Party : Mr.Satyadeo Singh Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 16.02.2019 in a case for the offence registered under Sections 467, 468, 471, 120(B)/34 of the IPC, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4752 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 4752 liters wine is recovered from the Truck in question. The petitioners are alleged to be the driver and Khalasi of the said Truck. They had no knowledge regarding the nature of goods booked by the Transporter. 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 Additional District & Sessions Judge-II-cum-Special Judge, Excise, Gopalganj, in connection with Mahmmadpur P.S. Case No. 18/2019.

(Sudhir Singh, J)

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