

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48655 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- SONBERSA District- Sitamarhi

1. GUDDU MALLIK Son of Sevak Mallik Resident of Village - Laptaha, P.S.- Parihar, Distt - Sitamarhi.
2. Jagarnath Yadav @ Jaynandan Yadav Son of Vaidehi Rai Resident of Village - Laptaha, P.S.- Parihar, Distt - Sitamarhi.
3. Indrajit Baitha Son of Bharat Baitha Resident of Village - Lalbandi Darbar P.S.- Sonbarsa, Distt - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-08-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Sonbarsa P.S. Case No. 117/2019, instituted for offence under Section(s) 272, 273, 414 of the Indian Penal Code read with Sections 30(a) and 32(2) of the Bihar Prohibition and Excise Act.

It is alleged that on getting secret information police party reached at the place of occurrence and intercepted a motorcycle and a tempo. It is alleged that 46.200 litres of Nepali liquor has been recovered from the motorcycle which was driven by petitioner no. 1. Petitioner no. 3 was sitting on the



aforesaid motorcycle. It is further alleged that 411 litres of Nepali liquor has been recovered from the tempo. Petitioner no. 2 was found sitting in the tempo.

Learned counsel for petitioners has submitted that there is no recovery from possession of petitioner no. 2.

Petitioners are in custody since 04.06.2019 having clean antecedent.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. 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 learned 2nd A.D.J.-cum-Special Judge, Excise Act, Sitamarhi, in connection with Sonbarsa P.S. Case No. 117/2019, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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