

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50132 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- KALYANPUR District- East Champaran

1. Krishna Pandit, aged about 25 Years (M), Son of Jatu Pandit, Resident of Village- Shambhu Chak Bhatwaliya, P.S.- Kalyanpur, District- East Champaran.
2. Sarjun Ram, aged about 22 Years (M), Son of Bhadai Ram, Resident of Village- Kaithwaliya, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party	:	Mrs. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioners are languishing in custody since 28.04.2019 in a case for the offence registered under Sections 272, 273/34 of the IPC, 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 4400 liters spirit 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 4400 liters spirit is recovered from the Truck and Mini Van. The petitioner no. 1 happens to be the driver of the Mini Van. The petitioners 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 9th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Kalyanpur P.S. Case No. 80 of 2019.

U.K./-

(Sudhir Singh, J)

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