

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52885 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- CHACKMENSI District- Samastipur

1. SARWADEV PASWAN @ SARABDEV PASWAN Son of Late Bindeshwar Paswan Resident of Village- Somnaha, P.S.- Chakmehshi, District- Samastipur.
2. Manjan Paswan Son of Late Bindeshwar Paswan Resident of Village- Somnaha, P.S.- Chakmehshi, District- Samastipur.
3. Ajay Mahto Son of Late Budhan Mahto Resident of Village- Somnaha, P.S.- Chakmehshi, District- Samastipur.
4. Sunil Mahto Son of Shaklesh Mahto Resident of Village- Somnaha, P.S.- Chakmehshi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1
For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections 272, 273/34 of the Indian Penal Code and 30(a) and 47 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that 5096.44 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 15.6.2019 and have got no



criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that 5096.44 liters wine is recovered from the truck as well as hut belonging to Nawal Mahto. The truck in question does not belong to the petitioner. The names of the petitioners have transpired on the basis of disclosure made by the local residents. The name of local residents, who have named the petitioners, has not been disclosed by the prosecution. 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, it is directed that 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 learned Additional Sessions Judge -II-cum- Special Judge, Excise, Samastipur in connection with Chakmehshi P.S. Case No. 89/19.

Pankaj/-

(Sudhir Singh, J)

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