

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1855 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.

District- Bhagalpur

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1. Santosh Mandal aged 22 years son of Sri Sudhir Mandal, resident of village-Baishar, P.S. Dhoraiya, District-Banka.
 2. Bajrangi Thakur aged 59 years son of late Domi Thakur, resident of Village-Sondiha, P.S. Garadhe, District-Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Respondent/s : Mr.Smt. Sucheta Yadav

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Petitioners are languishing in judicial custody since 01.11.2018 in connection with Excise Case No. 162 of 2018 for offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case as lodged by the Excise Officials is that during patrolling duty they stopped the Tata



Safari car. On seeing the Excise Officials, two persons namely Amarjeet Kumar and Kailash Pd. Singh tried to flee away but were apprehended. Behind the Tata Safari car, a Tata Tiago car was coming in which petitioners and other accused persons, on seeing the police tried to flee away but were apprehended. From the Tata Safari car huge quantity of illicit liquor was recovered. However, nothing was recovered from the Tata Tiago car of the petitioners although they were behind the Tata Safari car.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and had no connection with the Tata Safari car. He submits that nothing has been recovered either from the possession of the petitioners or from the car on which they were travelling and have been falsely implicated.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record, let the petitioner above named be enlarged 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 Additional District and Sessions



Judge-cum-Special Judge, Excise, Bhagalpur in connection with
Excise Case No. 162 of 2018.

(Nilu Agrawal, J)

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