

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62312 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- SIKRAUL District- Buxar

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1. Jamendra Singh, Son of Surendra Singh, Resident of Village-Medanipur, P.S-Dinara, District-Rohtas.
 2. Om Prakash Singh, Son of Late Kawaldhari Singh, Resident of Village-Medanipur, P.S-Dinara, District-Rohtas.
 3. Dipak Kumar, Son of Virendra Singh, Resident of Village-Bensagar, P.S.-Dinara, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr.Renuka Ratnakar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are in custody since 07.08.2019 in connection with Excise Case No.820 of 2019 arising out of Sikraul P.S.Case No.90 of 2019 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that the alleged recoveries were not from the conscious possession of the petitioners and though it is alleged that 18 litres of wine were recovered from the bag, the seizure has not been made in



accordance with the provisions of law and therefore, the petitioner may not be prosecuted and that they have been falsely implicated in connection with the present case.

Considering the aforementioned facts and circumstances and that the petitioners have no criminal antecedents, let the petitioners, above named, be released on bail on their 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 Sessions Judge-II-cum-Special Judge, Excise Act, Buxar, in connection with Excise Case No.820 of 2019 arising out of Sikraul P.S.Case No.90 of 2019.

(Anjana Mishra, J)

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