

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68960 of 2019

Arising Out of PS. Case No.-337 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

1. Guddu Kumar, aged about 20 years, Male, Son of Abahalal Sah @ Braj Nandan Gupta, Resident of Village-Ahiyapur, P.S.-Sahebganj, District-Muzaffarpur.
2. Sumit Kumar, aged about 25 years, Male, Son of Anarasi Lal Sah, Resident of Village-Ahiyapur, P.S.-Sahebganj, District-Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Nachiketa Jha, Advocate.

For the Opposite Party : Mr.Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 290, 414/34 of the IPC and 37(b)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that during patrolling duty, the police intercepted Magic Vehicle wherein two persons were sitting under intoxication. Seeing the police, they started making noise. On query, they disclosed their names as Guddu Kumar and Sumit Kumar (petitioners). One quintal small Iron Bars for use in road Bridge as well as Iron Scrap were recovered from the said vehicle. The driver disclosed his name as Shambhu Kumar. The petitioners also confessed that



they are carrying stolen Iron bars and scraps for selling.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 07.08.2019. The petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. Charge sheet/prosecution report has been submitted in the present case. The petitioners are labourers. They had no knowledge that the articles in question kept in the vehicle is stolen property. They are alleged to be found in drunken state. Except for this, there is no substantive evidence to suggest the implication of the petitioners in the present case.

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 Special Judge, Excise Act, Muzaffarpur, in connection with Sahebganj P.S. Case No. 337 of 2019.

(Sudhir Singh, J)

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