

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68688 of 2019

Arising Out of PS. Case No.-137 Year-2019 Thana- MOHAMMADPUR District- Gopalganj

1. SANJAY SAH Son of Ragho Sah @ Ragho Ji Resident of Village-Amarpura Tola Sitalpur, P.S.-Mohammadpur, District-Gopalganj.
2. Ranjit Kumar @ Ranjit Kumar Gupta Son of Ragho Sah @ Rago Ji Resident of Village-Amarpura Tola Sitalpur, P.S.-Mohammadpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 27-11-2019 Heard the learned counsel for the petitioners

and the State.

The petitioners seek bail in anticipation of their arrest in connection with Mohammadpur P. S. Case No. 137 of 2019 dated 06.08.2019 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

From the prosecution report, it appears that a motor-cycle was intercepted in which 24.840 ltrs of liquor was found to be kept. The motor-cycle in question was found abandoned near the local Anganwari Centre.



On the statement of Manu Shahi and Amarjeet Shahi that the petitioners carry on trade / sale of liquor, the subject F.I.R. was registered against them.

It has been submitted on behalf of the petitioners that the motor-cycle does not belong to them and they have clean antecedents.

These facts do reflect that no case under the Excise Act can be said to have been made out against the petitioners.

Considering the aforesaid aspect of the matter, the petition is allowed.

The petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum 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,



Gopalganj in connection with Mohammadpur P. S. Case
No. 137 of 2019, subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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