

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71754 of 2019

Arising Out of PS. Case No.-354 Year-2019 Thana- KHAJEKALA District- Patna

1. Sharwan Ray, Male, aged about 35 years, Son of Nokha Ray, Resident of Mohalla- Pakki Gauriya, P.S.- Khajekallan, District- Patna.
2. Raj Kumar Ray, Male, aged about 37 years, Son of Ramjee Ray, Resident of Mohalla- Pakki Gauriya, P.S.- Khajekallan, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Vinod Pandey, Advocate.

For the Opposite Party : Mr.Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-11-2019 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 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 120 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 23.08.2019. 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. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 120 liters wine is recovered from the joint house of the petitioners where other family members also reside. 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, 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, Patna, in connection with Khajekala P.S. Case No. 354/2019, arising out of Special Case No. 7566/2019.

(Sudhir Singh, J)

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