

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75316 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- KISHUNPUR District- Supaul

1. DHARMENDRA SINGH, aged about 38 years, Gender Male, Son of Karan Singh @ Kamal Singh
2. Satvir Singh, aged about 32 years, Gender Male, Son of Ishwar Chandra Btoh are resident of Village - Janachauliya Thok Gram, P.S. - Paigoan, District - Mathura, State - Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Nath Yadav
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners as well as
learned A.P.P.

There happens to be an allegation with regard to transportation of wine in contravention of the Excise Act as, there happens to be total prohibition in the State of Bihar. Further more, there happens to be disclosure of recovery of 154 cartoons of wine containing 1350.360 litres and for that, there happens to be presence of so many persons involved in the racket and to justify the same, inculpatory extra judicial statement of Bimlesh Kumar as well as one of the petitioners Dharmendra Singh is found tagged in the F.I.R. However, from the seizure list, it is evident that none of the petitioners have got



their presence. Apart from this, the petitioners are under custody since 16.9.2019 having no criminal antecedent as per disclosure made under para-3.

Accordingly, the petitioners, namely, Dharmendra Singh and Satvir Singh, are directed to be released 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 Addl. Sessions Judge II cum Special Judge, Excise, Supaul in connection with Kisanpur P.S.Case No. 218/2019, S.T.Excise No. 722/2019.

However, it is made clear that the learned lower court will properly identify genuineness as well as soundness of the bailors in order to have presence of the petitioners during course of trial.

(Aditya Kumar Trivedi, J)

Surendra/-

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