

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.77851 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

1. BITU KUMAR Son of Vijay Prasad Resident of Village - Muja (Matiyari),
P.S.- Baikunthpur, Distt.- Gopalganj.
2. Pintu Kumar @ Pintu Singh @ Chintu Kumar @ Sintu Kumar @ Pintu
Singh @ Sintu Son of Vinay Singh Resident of Village - Masarakh, Purab
Tola, P.S.- Masarakh, Distt.- Chhapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

Prosecution case as lodged by the police personnel is
that on 04.09.2019 he along with armed forces reached at
Bathna Kutti and saw one bag and motorcycle is lying there and
several people assembled there. Nearby people told him that
Hero Honda bearing Registration No. PB10GF3583 was coming
fastly from U.P. and dashed with truck and fell down on the road



due to which they received serious injuries and they sent to Sadar Hospital, Gopalganj for treatment. Search was conducted in presence of two independent witnesses, total 30.970 litres of illegal wine have been recovered and a seizure list was prepared.

Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioners and the alleged recovery has been made by the side of N.H. 28 near Bathna Kutti. He submits that petitioners met with an accident and later on they were arrested in connection with the present case. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 14.09.2019.

In the facts and circumstances of the case on deposit of Rs. 5000/- in the court below/Nazarat, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Kuchaikote Police Station Case No. 274 of 2019.

Such deposit of Rs. 5000/- shall abide by the outcome



of the present pending criminal case.

(Anjani Kumar Sharan, J)

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