

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78270 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- DAGARUA District- Purnia

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1. SURAJ KUMAR TIWARI S/o Late Dipak Tiwari R/o village- Banmankhi, Raj Hat, P.S.- Banmankhi, District- Purnea
 2. Rohan Kumar Mehta @ Rohan Kumar S/o Sri Anil Mehta R/o village- Purnea Court Station, P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-12-2019 Heard the learned counsel for the petitioners

and the State.

The petitioners, who are in custody since 10.11.2019 and are persons of clean antecedents, seek bail in connection with Special Excise Case No. 950 of 2019 (arising out of Dagarua P. S. Case No. 216 of 2019) instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It appears that 42.420 litres of liquor is said to have been recovered from their possession.



Learned counsel for the petitioners submits that their implication in this case is on mistaken identity and is also *mala fide*. The recovery from their possession is the paper work of the police.

Considering the clean antecedents of the petitioners and the period of custody, this petition is allowed. The petitioners, above-named, are directed to be released on bail 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 2nd Additional Sessions Judge-cum-Special Judge, (Excise), Purnea in connection with Special Excise Case No. 950 of 2019 (arising out of Dagarua P. S. Case No. 216 of 2019).

(Ashutosh Kumar, J)

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