

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2101 of 2019

Arising Out of PS. Case No.-213 Year-2018 Thana- THAWE District- Gopalganj

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1. Deepak Kumar, Son of Baban Singh, Resident of Village- Ukhai, Balua Tola, P.O.- Premlata, P.S.-Muffasil, District- Siwan.
 2. Sonu Kumar, Son of Haricharan Singh, Resident of Village- Balua Tola, P.S.- Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mrs. Meena Singh(App 166)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Heard learned counsels for the petitioners and the State.

The petitioners are languishing in custody since 03.11.2018 in a case registered for the offences punishable under Sections 413 and 414 of the IPC and Sections 30(a), 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is to the effect that on secret information that the petitioners are carrying illicit liquor, on 01.11.2018, they were intercepted while travelling on a motorcycle and from the alleged motorcycle, 31.890 liters of country made liquor was recovered.

It is submitted by learned counsel for the petitioners that the petitioners were not aware about the liquor being kept in the



motorcycle. It is further submitted that the alleged motorcycle is not registered in the name of the petitioners rather the same is registered in the name of father of petitioner no.1. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that recovery has been made from the possession of the petitioners.

Considering the quantity of recovery and period under custody, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Gopalganj in connection with Thawe P.S. Case No. 213 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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