

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18882 of 2020

Arising Out of PS. Case No.-26 Year-2020 Thana- Kutumba District- Aurangabad

1. Dharmendra Soni, aged about 24 years (Male) son of Ramji Seth.
2. Rakesh Kumar, aged about 19 years, son of Binod Seth,
both are resident of village Charan, P.S. Mali, District Aurangabad.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2	14-05-2020	Heard learned counsel for the petitioners and learned APP for the State, through video conferencing. The petitioners who are in custody since 22.2.2020 have filed the instant application for grant of bail in connection with Kutumba P.S. Case No. 26 of 2020 registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016. As per allegation in the FIR, it is stated that on the motorcycles of both the petitioners being searched, 60 litres each of country liquor was recovered from both. It is submitted by learned counsel for the petitioners that the allegations of recovery as made in the FIR are false and concocted. The petitioners were not apprehended as alleged. The two motorcycles were found abandoned and the petitioners are
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		not the owners of the same. There is no independent witness to the seizure list. The petitioners have no criminal antecedent and are in custody since 22.2.2020. The application for bail is opposed by learned APP for the State. Having heard learned counsel for the parties and taking into consideration the fact that the petitioners have no criminal antecedent and are in custody since 22.2.2020, the court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Kutumba P.S. Case No. 26 of 2020 (G.R. No. 179 of 2020) on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII -cum-Special Judge (Excise), Aurangabad.
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(Partha Sarthy, J)

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