

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29888 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. PRAMOD SAH Son of Mishrilal Sah Resident of Village - Rajopur, P.S. - Keshriya, District - East Champaran. At Present resident of Village - Pratap Patti, P.S. - Sahebganj, District - Muzaffarpur.
2. Dharmendra Sah @ Dharmendra Prasad Son of Mishrilal Sah Resident of Village - Rajopur, P.S. - Keshriya, District - East Champaran. At Present resident of Village - Pratap Patti, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
after restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners seek bail in a case registered under Sections
272 & 273 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 409.665 liters wine is



recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in custody since 03-07-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 409.665 liters wine is recovered from joint shop of the petitioners. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, 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 learned Special Judge, Excise, Muzaffarpur in connection with Sahebganj P.S. Case No. 28 of 2020.

(Sudhir Singh, J)

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