

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33713 of 2020

Arising Out of PS. Case No.-703 Year-2020 Thana- AHİYAPUR District- Muzaffarpur

1. RUPESH KUMAR Son of Arjun Singh Resident of Village- Kolhua Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur.
2. DHIRAJ KUMAR Son of Sanjay Mandal Resident of Village- Kolhua Paigambarpur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr. Naveen Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 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 30(a) and 36 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 51.84 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 28-08-2020. Charge sheet/Prosecution report in this case has already been submitted. It is alleged that 51.84 liters wine is recovered from the lichi orchard. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioner 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 Ahiyapur P.S. Case No. 703 of 2020.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

