

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81951 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- MEHANDIGANJ District- Patna

1. VISHNU KUMAR PASWAN Son of Rambabu Paswan @ Shyam Babu Paswan Resident of Mohalla Maheshpur, P.S.- Mehandiganj, Dist.- Patna.
2. Mantu Kumar @ Ashwini Kumar Son of Shyam Sunder Prasad Resident of Kath Ka Pul, P.S.- Mehandiganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in connection with Special Case No.8679 of 2019, arising out of Mehandiganj P.S. Case No.178 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving the information about keeping of the illicit liquor near the bamboo clumps, situated behind the temple at village-Maheshpur, the informant along with other police personnel reached there. On seeing the police party, two persons started to flee away. While they were chased but they succeeded to flee away. On search, 96 bottles, each containing 500 ml. Indian Made Foreign Bear and 84 bottles, each containing 500



Ml. Indian Made Foreign Bear, and 32 bottles, each containing 180 ml. Indian Made Foreign Liquor, were recovered from there. The local people disclosed the name of the petitioners saying that there are indulged in the business of illicit liquor.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the alleged recovery was not made from the house of the petitioners. The petitioner no.1 has no criminal antecedent, whereas the petitioner no.2 is accused in one similar nature of case, as detailed in paragraph-3 to this application, in which the petitioner no.2 is on bail. The petitioners are in custody since 27.09.2019.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna, in connection with Special Case No.8679 of 2019, arising out of Mehandiganj P.S. Case No.178 of 2019.

(Rajendra Kumar Mishra, J)

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