

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86080 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- KUTUMBA District- Aurangabad

1. Santosh Kumar Mehta @ Rohit Maurya, Male, aged about 24 years Son of Ishwari Mehta @ Akela Mehta Resident of Village - Dadhya Dakshani, P.S.- Kutumba, District - Aurangabad (Bihar)
2. Tinku Kumar @ Raunik Maurya Male, aged about 19 years Son of Ishwari Mehta @ Akela Mehta Resident of Village - Dadhya Dakshani, P.S.- Kutumba, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 18-03-2020 Heard learned counsel for the parties.

The petitioners seek bail in Kutumba P.S. Case No. 148 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

67.6 liters of country-made liquor is said to have recovered from the cow-shed of petitioners.

It is submitted on behalf of petitioners that petitioners have falsely been implicated and nothing has been recovered from their conscious possession. It is further submitted mandatory provision of Section 100 Cr.P.C. has not been followed with respect to search and seizure. Petitioners have no concern with the seized liquor. Petitioners are in



custody since 16-11-2019.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioners be released on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge VII cum Special Judge (Excise), Aurangabad in connection with Kutumba P.S. Case No. 148 of 2019.

(Prabhat Kumar Singh, J.)

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