

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17477 of 2021

Arising Out of PS. Case No.-319 Year-2020 Thana- PIRO District- Bhojpur

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1. MANGAL KUMAR, S/o Dunmun Prasad, Resident of Vill - Majhiaon, P.S. - Piro (Hassan Bazar), Dist.- Bhojpur.
 2. DIPAK KUMAR, S/o Gorakh Paswan Resident of Vill - Majhiaon, P.S. - Piro (Hassan Bazar), Dist.- Bhojpur.
 3. PANKAJ KUMAR, S/o Brijh Mohan Prasad, Resident of Vill - Majhiaon, P.S. - Piro (Hassan Bazar), Dist.- Bhojpur.
 4. JAI AMAR KUMAR, S/o Madan Ram, Resident of Vill - Sara, P.S. - Tarari, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr. Dinesh Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 27-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 30(a), 36 and 37 of the Bihar Prohibition and Excise Act, 2016.

As per allegations in the FIR, about 80 litres of spirit was recovered and the four petitioners herein were taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They are innocent and have been falsely implicated



in the case. They are in custody since 4.12.2020.

It is submitted by learned APP appearing for the State that the petitioner no. 3 has an antecedent under the Bihar Prohibition and Excise Act, 2016.

Having heard learned counsel for the parties and in view of the criminal antecedent of the petitioner no. 3, the application for bail of the petitioner no. 3 is rejected.

Liberty is granted to the petitioner no. 3 to renew his prayer for bail on completing one year in custody.

The petitioner nos. 1, 2 and 4 are directed to be enlarged on bail in connection with Excise Case no. 1874 of 2020 (arising out of Piro (Hasanbazar) P.S.Case no. 319 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Addl. Sessions Judge – cum – Special Judge, Excise, Bhojpur at Ara.

(Partha Sarthy, J)

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