

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36830 of 2020

Arising Out of PS. Case No.-331 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Saroj Kumar Son of Late Hriday Narayan Ray, Residence of Village - Bhandabari, Tole Ghughala, Ward No. 14, Police Station - Choraut, District - Sitamarhi
 2. Sikindar Kumar Son of Laxmi Rai, Resident of Village - Sasaula (Bhima Makleshar), Police Station - Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-02-2021 Heard the learned counsel for the petitioners and Smt. Asha Kumari, the learned APP for the State.

The petitioners seek regular bail in connection with Complaint Case No. C-2/ 331 of 2020 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 90 liters of Nepali saufi liquor from a car.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 02.09.2020. The learned counsel



for the petitioners, by referring to paragraph no. 9 of the present petition, has submitted that the car in question does not belong to the petitioners.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for bail, made by the petitioners.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and considering the fact that the car in question from which the illicit liquor has been recovered, does not belong to the petitioners, I deem it fit and proper to admit the petitioners to the privilege of bail.

Accordingly, the petitioners, above-named, shall be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II cum Special Judge, Excise Act, Sitamarhi in connection with Complaint Case No. C-2/331 of 2020.

(Mohit Kumar Shah, J)

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