

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33111 of 2020

Arising Out of PS. Case No.-193 Year-2020 Thana- MOHAMMADPUR District- Gopalganj

1. SUMIT S/o Deepak Prasad @ Deepak Kumar Resident of Gali No.25, House No.365, P.S.- Meharauli, District- Meharauli, New Delhi, present Address Court Bazar, P.S.- Dumra, District- Sitamarhi (Bihar)
2. Jeetendra Mandal S/o Dhananjay Mandal Resident of Jai Nagar, P.S.- Jai Nagar, District- Madhubani (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Aslam Ansari (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 08-01-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Mohammadpur P.S. Case No. 193 of 2020 registered for the offence punishable under Sections 30 (a) of the Bihar Prohibition & Excise Act, 2016.

There is a typographical error in the application inasmuch as date of F.I.R. has been wrongly typed as '24.07.2020' in place of '07.09.2020'. A supplementary affidavit has been filed on behalf of the petitioner for correction to the said effect.

It is evident that the date of the F.I.R. is '07.09.2020', on perusal of the copy thereof, which has been annexed with this application.



Let the date of the F.I.R. be read as '07.09.2020' accordingly.

The petitioners are in custody since 08.09.2020 on the allegation that 75.00 liters of foreign liquor was recovered from a car, which was occupied by the petitioner.

Learned counsel appearing on behalf of the petitioners has argued that the petitioners have no criminal antecedent and their presence in the car, from which, illicit liquor was recovered, is the only basis for implication of these petitioners in this case.

Considering the above submission and the fact that the petitioners are in custody since 08.09.2020, this application is allowed.

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 the learned A.D.J.-II-cum-Special Judge, Excise Act, Gopalganj in Mohammadpur P.S. Case No. 193 of 2020.

(Chakradhari Sharan Singh, J)

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