

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8286 of 2021

Arising Out of PS. Case No.-354 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. DEEPAK KUMAR S/O CHHEDI LAL SAH Resident Of Village - Pupri, P. S. - Pupri, District - Sitamarhi.
 2. Durgalal Kumar S/O Late Bhola Sah Resident Of Village - Nazarpur Tola, P.S. - Riga, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Zainul Abadin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 26-05-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Complaint Case No. 354 of 2020 under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, a total of 132 liters of Nepali Saufi liquor was recovered and the two petitioners herein were taken into custody.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the person or possession of the petitioners. They have been falsely



implicated in the case. They have no concern with the vehicle in question nor with the seized liquor. Petitioners have no criminal antecedents and are in custody since 21.9.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners not having any criminal antecedent and the period in custody, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Complaint Case No. 354 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Sitamarhi.

(Partha Sarthy, J)

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