

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50061 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -BISHWAMBHARPUR District- GOPALGANJ

- =====
1. Pintu Sah, son of Santosh Sah, resident of village-Mirjapur, Police Station-Barauli, District-Gopalganj &
 2. Deepak @ Deepak Sah, son of Rameshwar Sah, resident of village-Ramayana, Police Station-Tareya Sujan, District-Kushi Nagar (UP).
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Raghav Prasad, Advocate

For the Opposite Party : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016 Heard the learned counsel for the petitioners and the learned APP for the State.

Petitioners are in custody since 07.10.2016 in connection with Bishambharpur P.S.Case No.47 of 2016 registered for offences punishable under Sections 272, 273, 420 and 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case in brief, as stated in the written report of the informant ASI, Nityanand Singh of Bishambharpur P.S., is that on 06.10.2016 at about 10.30 A.M. he along with other police officials was on day patrolling duty for checking the vehicle and during course thereof, at about 14.30 hours he reached on Canal bridge situated at village-Baliwan Raimal, then he



received secret information that illicit liquor has to come and during course of vehicle checking two persons on black motorcycle came from the side of Jalalpur and having seen the police party they tried to flee by turning their motorcycle but with the help of police party they were caught hold and between them one white bag was kept and on interrogation they disclosed their names as Pintu Sah (petitioner no.1) and Deepak Sah (petitioner no.2). In presence of two independent witnesses search was made and from the bag 135 pieces of 200 ml. total 27 litres contraband liquor were recovered and, accordingly, seizure was prepared.

It has been submitted by learned counsel for the petitioners that the petitioners are innocent and have falsely been implicated in the aforesaid offence. He further submits that the petitioners are students and undertake not to abscond or tamper with the evidence.

However, learned APP for the State submits that the petitioners are named in the FIR, hence opposes the prayer for bail.

Be that as it may, let the above named two petitioners 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 learned ACJM-X, Gopalganj in connection with

Bishambharpur P.S.Case No.47 of 2016.

(Nilu Agrawal, J)

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