

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27778 of 2016**

Arising Out of PS.Case No. -25 Year- 2016 Thana -KUTUMBA District- AURANGABAD

- =====
1. Arun Singh, Son of Late Suryadeo Singh
  2. Deepak Singh Son of Arun Singh
  3. Vikash Singh Son of Shivendu Singh
- All residents of Village – Jamua, Police Station – Kutumba, District- Aurangabad.
4. Raja Singh son of Janardan Singh Resident of Village - Dhiru Bigha P.S. Mali, District - Aurangabad.

.... .... Petitioners

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance:**

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      28-07-2016                      Heard learned counsel for the petitioners and  
  
learned counsel appearing on behalf of the State.

Learned counsel for the petitioners seeks liberty to  
  
withdraw the application against the petitioner no. 1 as he has  
  
already been taken into custody.

Liberty is granted.

Hence, the case against the petitioner no. 1 stands  
  
dismissed as withdrawn.

The petitioner nos. 2, 3 and 4 are apprehending  
  
their arrest in connection with Kutumba P. S. Case No. 25 of  
  
2016 registered for the offences punishable under Sections 272,

273 and 420 of the India Penal Code and Section 47(a) of the Excise Act.

Learned counsel for the petitioner submits that in pursuance of the raid conducted by the informant, certain illicit liquor was recovered, as it is alleged that these petitioners have been responsible for manufacturing the same.

Learned counsel for the petitioners further submits that such recovery has been made but the recovery has not been made from the conscious possession of these petitioners and thus, no case is made out against them. He further submits that these petitioners are not having any criminal history.

Considering the aforementioned facts and circumstances of the case, let the petitioner nos. 2, 3 and 4 in the event of their arrest/surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10000/- (ten thousand) each with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Aurangabad in connection with Kutumba P.S. Case No. 25 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

**(Anjana Mishra, J.)**

Mishra/-

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