

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52583 of 2015

Arising out of PS.Case No. -277 Year- 2015 Thana -BANMANKHI District- PURNIA

- 1. Shaili Rishi, Son of Late Sharman Rishi.
- 2. Sultan Rishi, Son of Late Uchit Rishi.
- 3. Rajesh Rishi, Son of Sultan Rishi.
- 4. Sanjay Rishi, Son of Shaili Rishi. All R/o Village Kajhi Hriday Nagar, P.S. Banmankhi, District Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : Mr. Rana Randhir Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Banmankhi P.S. Case No. 277 of 2015 for the offences instituted under Sections 272/34 of the IPC and 47 of the Excise Act.

The prosecution story, in brief, is that on the direction of the S.H.O., the informant alongwith other police personnels including Chaukidar 7/01 Panna Lal Paswan on 28.08.2015 proceeded from the P.S. for the purpose of recovery of illegal country made liquor and was going to village-Kajhi. At about 8.00



hours, the informant received information that at village-Kajhi Mushari, manufacturing of illegal country made liquor is going on. For verification, the informant and other police personnels reached in the said village near the house of Shaili Rishi then one person started to flee and in spite of chase, the said person could not be apprehended. On being enquiry, he came to know the name of person as Shaili Rishi, who succeeded to flee away. Police personnel came to knowledge that one Aluminium pot is lying behind the house of Budhan Singh in the field. On being searched, several articles including the raw material used to manufacture country made liquor were seized in the paddy field and in presence of independent witnesses prepared seizure list. The villagers present there disclosed the name of these petitioners, who were engaged in manufacturing illegal country made liquor for sale.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioners have falsely been implicated in the present case. There is no recovery from conscious possession of the petitioners. The petitioners are ready to deposit an amount of Rs. 15,000/- jointly in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioners shall deposit an amount of Rs. 15,000/- jointly in the court below which shall be subject to final disposal of the case and on doing so, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Banmankhi P.S. Case No. 277/2015 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 J.M. Ist Class, Purnea, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)