

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25410 of 2017

Arising Out of PS.Case No. -33 Year- 2017 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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1. Guddu Kumar Sah, S/o Deba Sah,
2. Sandeep Kumar Gupta, S/o Late Rajeshwar Gupta @ Late Rajeshwar Prasad,
Both are R/o Village- Mill Parsa, P.S.- Balthar, District- West Champaran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party/

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-07-2017 Heard Sri Bimlesh Kumar Pandey, learned counsel
for the petitioners and Sri Satyendra Narayan Singh, learned Addl.
Public Prosecutor.

Two petitioners, apprehending their arrest in Sikta P.S. Case No.33/2017, registered for the offence under Sections 30(a), 37(a)(b) (c) of the Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail, in the event of their arrest or surrender on the ground that they have falsely been implicated in the present case. It was submitted by learned counsel for the petitioners that the informant is a police officer and on his statement, F.I.R. was lodged, in which he alleged that petitioners



with other two accused persons were consuming bear and after seeing the police, all accused persons fled and on the place, two empty bottles of bear and one half bottles of bear was recovered. It was submitted by learned counsel for the petitioners that petitioners are having clean antecedent and, as such, there was no occasion to police officer to identify the petitioners. He submits that it is an out and out a false case.

Considering the facts and circumstances of the case as well as nature of accusation, let petitioners,, namely, (i) Guddu Kumar Sah and (ii) Sandeep Kumar Gupta, in the event of their arrest or surrender within six weeks from today, 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 Addl. Chief Judicial Magistrate VIth, Bettiah, West Champaran in connection with Sikta P.S. Case No.33 /2017, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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