

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55746 of 2016

Arising Out of PS.Case No. -201 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

- =====
1. Md. Kabir.
 2. Md. Imam.
Both are S/O Md. Nazam @ Tepu.
 3. Moharmi Khatun, W/o Md. Nazam @ Tepu.
Resident of Village- Bisanpur, P.S.- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kochadhaman P.S. Case No.201 of 2016 registered under Section 47 “a” of the Excise Act (Amendment), 2016.

The accusation is that on receiving secret information about concealing of illicit country made liquor in village-Bisanpur by one Md. Nazam alias Tepu, the informant alongwith other police officials raided the house of Md. Nazam alias Tepu from where 39 liters country made liquor, kept in 65 bottles, each containing 800 ml., was recovered. Md. Nazam alias Tepu disclosed about carrying of aforesaid country



made liquor by Financer Rajesh Jain from West Bengal and giving him to sell the same and also stated that his sons and wife (petitioners) also used to help him in selling the country made liquor.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that at the time of raid by the police, Md. Nazam alias Tepu, the father of the petitioner nos.1 and 2 and the husband of the petitioner no.3, was apprehended at the house and the petitioners were not present there. The police on the basis of the confessional statement of Md. Nazam alias Tepu that the petitioners also used to help him in selling the country made liquor implicated them in this case. Further submission is that the petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj, in connection with Kochadhaman P.S. Case No.201 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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