

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 53739 of 2017

Arising Out of PS. Case No.-111 Year-2017 Thana- Sare District- Nalanda

1. Shambhu Yadav @ Shambhu Kumar, S/o Bilash Yadav
2. Sadhu Yadav S/o Ram Briksh Yadav
Both residents of village Piparapur P.S. Sare, Distt. - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-11-2017 Heard Sri Sudhish Kumar, learned counsel for the petitioners and Sri Ramesh Chandra, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Sare P.S. Case No. 111 of 2017 registered for offence under Sections 30(a), 30(c), 30(d) of Bihar Excise Amendment Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that it is a peculiar case that police, on the basis of secret information, which indicated as if petitioners were involved in commission of offence under the Excise Act in a *khanda* (vacant land), reached on the spot and found about 9 liter of country-



made liquor, however, two accused persons fled away. It was claimed by the police that some of the villagers disclosed that the persons, who had fled away, were these petitioners. It has also been argued that both the petitioners were never involved in any case relating to excise offences.

Considering the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let both petitioners namely Shambhu Yadav @ Shambhu Kumar and Sadhu Yadav be enlarged 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 6th Addl. District & Sessions Judge-cum-Special Judge, Excise, Nalanda, Bihar Sharif in connection with Sare P.S. Case No. 111 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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