

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43653 of 2017

Arising Out of PS. Case No.-249 Year-2017 Thana- BIHARSHARIF District- Nalanda

1. Md. Sikandar Khan @ Sikandar Khan, Son of Late Nazrul Hassan Khan
2. Md. Iqbal Khan @ Iqbal Khan, Son of Late Nazrul Hassan Khan
Both are residents of Mohalla : Kaghazi, P.S. - Bihar, District - Nalanda.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2017 Heard Sri Hansraj, learned counsel for the petitioners and
Sri Upendra Kumar, learned Addl. Public Prosecutor.

Two petitioners, apprehending their arrest in Bihar P.S. Case No.249 of 2017 registered for the offence under Sections 30, 30(a) of the Bihar Excise 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 nothing was recovered from the conscious possession of the petitioners nor from their house or land, rather a raid was conducted in the house of Israil Khan and Pappu Khan, from where huge quantity of Indian Make Foreign liquor was recovered and from that very place, Pappu Khan was also



arrested and the petitioners' name has come in the confessional statement of co-accused Israil Khan and Pappu Khan. Learned counsel for the petitioners has drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioners are having clean antecedent.

Considering the nature of accusation, clean antecedent as well as the fact that the petitioners' name has come on the basis of confessional statement of co-accused, let both the petitioners, namely, (i) Md. Sikandar Khan @ Sikandar Khan and (ii) Md. Iqbal Khan @ Iqbal Khan, 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 the learned Addl. District & Sessions Judge-cum- Special Judge (Excise), Biharsharif, Nalanda in connection with Bihar P.S. Case No.249/2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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