

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62553 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -PATEPUR District- VAISHALI(HAJIPUR)

- =====
1. Bholai Rai @ Sanjeev Kumar, son of Raj Kishore Rai.
 2. Akhilesh Rai alias Pulti alias Aditya Abhinav alias Palti, son of Ram Kishun Rai.
- Both residents of village-Bardiha, P.S. Patepur, District-Vaishali.

.... 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 21-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Patepur P.S. Case No.71 of 2017 registered under Section 30(A), 32(ii), 38(ii) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on 02.08.2017, the informant alongwith other police officials moved from the police station for raid in connection with Patepur P.S. Case No.62 of 2017 registered under Sections 414/34 of the Indian Penal Code besides various Sections of the Bihar Prohibition and Excise Act. In that course, he received information about keeping of illicit liquor at



the house of Abhishek Kumar constructed in the field by the petitioners and one Sawan Kumar alias Shekhar Rai alongwith 3-4 unknown. Thereafter, the informant alongwith other police officials reached at Bardiha near the house of Abhishek Kumar constructed in the field. On seeing them, 7-8 persons succeeded to flee away. On search, 1770.65 liters Indian Made Foreign Liquore, kept in several bottles, were recovered from the house of Abhishek Kumar constructed in the field. The witnesses and the villagers disclosed the name of the petitioners and others indulged in selling the liquor.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but it would appear from the F.I.R. that they were not apprehended on the spot rather the recovery was made from the house of Abhishek Kumar constructed in the field. 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 Additional Sessions Judge-II-cum-Special



Judge, Vaishali at Hajipur, in connection with Patepur P.S. Case
No.71 of 2017, subject to the conditions laid down under Section
438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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