

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26938 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- BAHERA District- Darbhanga

-
1. Santosh Sah S/o Late Daya Prasad Sah Resident of Village - Benipur, Ward No. 21, P.S. Bahera, District - Darbhanga.
 2. Amit Kumar Sah @ Amit Sah S/o Sanjay Sah @ Sanjay Sahu R/o Village - Dakharam, P.S. Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Satyendra Kumar Srivastava
For the Opposite Party/s : Mr. Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Bahera P.S. Case no. 50 of 2018 registered under Sections 30(a), 32 (iii) and 41(i) of Bihar Prohibition & Excise Act-2016.

24 lts. of foreign liquor is said to have been recovered from the house of the petitioner no. 1 (Santosh Sah) and petitioner no. 1 and petitioner no. 2 (Amit Kumar Sah @ Amit Sah) were apprehended from the said house.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from conscious physical possession of the petitioners. They have no concern



with the seized liquor. The house of Santosh Sah from where the aforesaid liquor is said to have been recovered, is inhabited by his several other family members and he had no knowledge of keeping of the aforesaid liquor in the house. Petitioner no. 2 (Amit Kumar @ Amit Sah) had paid visit to the house of Santosh Sah at the time of occurrence to meet him and he had also no knowledge of keeping of the aforesaid liquor in the said house. They have been falsely implicated in the case at the instance of their enemy. They have no criminal antecedent. They have been languishing in custody since 03.03.2018.

In the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-IV-cum-Special Judge, Excise, Darbhanga in connection with Bahera P.S. Case no. 50 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

