

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65808 of 2018

Arising Out of PS. Case No.-199 Year-2017 Thana- SIKTI District- Araria

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1. Mantu Sah son of Dayanand Sah
 2. Amar Yadav son of Dayanand Yadav
- Both are Resident of Village-Saidabad, P.S. Sikty, Distt.-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Sikty P.S. Case no. 199 of 2017 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act-2016.

108 lts. illicit Nepali made liquor is said to have been recovered from the jute field of Ramanand Sah concealed there by the petitioner.

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 either with the place of recovery or with the seized



liquor. They have been falsely implicated in this case due to dirty village politics. Place of recovery is open place and easily accessible to all. The identity and genuineness of the source of information about keeping of the aforesaid liquor in the aforesaid place by the petitioners has not been disclosed in the written report.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge-cum-Spl. Judge, Araria in connection with Sikty P.S. Case no. 199 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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