

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73173 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- NAUHATTA District- Saharsa

1. Barun Kamat Son of Amarnath Kamat
2. Nunu Sah Son of Nathuni Sah
Both Resident of Village- Muradpur, P.S. Nauhatta, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate.

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-12-2018 Heard learned counsel for the petitioners and the State.

The petitioners seeks bail in Special (Excise) Case No. 461 of 2018 instituted for the offence under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code, Sections 30(a), 38(1) and 41(1) of Bihar Prohibition and Excise Act, 2016.

The informant has alleged in the written report that on 5.9.2018 he got secret information about arrival of huge quantity of illicit liquor on a truck. He along with other police personnel raided the place and huge quantity of foreign liquor from the truck in question was recovered in front of the house of co-accused Sentu Thakur, as mentioned in the seizure list.



Petitioners are alleged to be running away from the place of occurrence.

As such, there is no recovery of any incriminating article from possession of the petitioners.

Counsel for the petitioner submits that co-accused Mukesh Thakur @ Mukesh Kumar Thakur with similar allegation has already been granted bail by coordinate Bench of this Court vide order dated 14.12.2018 passed in Cr. Misc. 73901 of 2018.

Petitioner is in custody since 7.9.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, 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 learned Special Judge, Excise Act, Saharsa, in connection with Special (Excise) Case No. 461 of 2018 arising out of Nauhatta P.S. Case No. 142 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioners.

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(Sanjay Priya, J)

