IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36693 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- Gaighat District- Muzaffarpur

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1. Ashish Kumar @ Sonu,
2. Pinkesh Kumar @ Monu Both Sons of Lalan Tiwari,
Both residents of Village- Jata Pashchiyari Thok, P.S.- Benibad O.P., District- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandra Bhushan Das
For the Opposite Party/s : Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2. 29-06-2018 Heard Sri Chandra Bhushan Das, learned counsel for the petitioners and Smt. Sahin Begam, learned Addl. Public Prosecutor.

Two petitioners, having clean antecedent, which fact has been stated in paragraph – 3 of the petition, apprehending their arrest in Gaighat P.S. Case No. 118 of 2018, G.R. No. 598 of 2018 registered for offence under Section 30(a) of Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners submits that nothing was recovered either from conscious possessions or from the premises of the petitioners, but petitioners have been made accused on an allegation that from backside of *bathan* (cow shed), there was recovery of huge quantity of Indian make

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foreign liquor. It has been reiterated that petitioners were not having any knowledge about such consignment. A plea has been taken that it appears that in village politics, petitioners have falsely been implicated in the present case.

Be that as it may, considering the fact that petitioners are having clean antecedent as well as the fact that recovery was effected from an open place, in the event of their arrest or surrender within a period of six weeks from today, let both petitioners namely Ashish Kumar *alias* Sonu and Pinkesh Kumar *alias* Monu be enlarged 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, Muzaffarpur in connection with Gaighat P.S. Case No. 118 of 2018, G.R. No. 598 of 2018, subject to condition as contemplated under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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