

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58639 of 2018

Arising Out of PS. Case No.-191 Year-2018 Thana- PIRBAHOR District- Patna

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1. Chintu Kahar, S/o Late Sudama Kahar @ Sudama Prasad,
2. Rinku Tathera S/o Binda Sao,
Both Residents of Mohalla- Musallahpur Chain Tola, near of
Devi Sthan, P.S.- Kadamkuan, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Mrs. Asha Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-09-2018 Heard Sri Vibhuti Ranjan Sonvadra, learned counsel
for the petitioners and Smt. Asha Kumari, learned Addl. Public
Prosecutor.

Two petitioners, apprehending their arrest in Special
Case No. 3288 of 2018 (arising out of Pirbahore P.S. Case No.
191 of 2018) registered for offence under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016, have prayed for grant of
bail, in the event of their arrest or surrender.

At the very outset, learned counsel for the petitioners
has drawn my attention to the statement made in paragraph-3 of
the petition to show that petitioners are having clean antecedent.
It has further been argued that petitioners have falsely been
made accused, as if, petitioners, while moving on motorcycle



carrying a bag containing about 18 liters of liquor, threw the bag and fled away speeding the motorcycle. It has been argued by learned counsel for the petitioners that if the petitioners were in a position to flee away by way of speeding up the motorcycle, in that event there was no reason for them to throw the bag, which was being carried on the motorcycle.

Considering the facts and circumstances as well as clean antecedent of the petitioners, in the event of their arrest or surrender within a period of six weeks from today, let the aforesaid two petitioners, namely, (i)Chintu Kahar (ii)Rinku Tathera 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, Patna in connection with Special Case No. 3288 of 2018 (arising out of Pirbahore P.S. Case No. 191 of 2018), subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

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