

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66906 of 2018

Arising Out of PS. Case No.-309 Year-2018 Thana- HARNAUT District- Nalanda

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1. Subham Kumar, S/o Bipin Singh,
 2. Pritam Kumar @ Chhotu, S/o Nawlesh Singh @ Kailash Singh,
Both resident of Village- Basti, P.S.- Hanaut, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2018 Heard learned Counsel for the petitioners and the
learned APP for the State.

Petitioners apprehend arrest in Harnaut PS Case No.
309 of 2018 registered under Sections 272, 273 of the IPC and
Section 30(A) of Bihar Prohibition &
Excise Act, 2016.

Counsel for the petitioners submits that the allegation
against the petitioners is of indulging in manufacture of country
made liquor. The same is false and fabricated as it would be
apparent from the FIR itself. Though 10 Litres of country made
liquor is alleged to be seized but the accused persons have not
been apprehended or arrested at the spot as is apparent from the
FIR. No recovery has been made from the conscious possession



of the petitioners and they have falsely been implicated in this case. Prior to the instant case there is no criminal antecedent against the petitioners.

Considering the aforesaid submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed. In the event of his arrest or surrender before the court below within four weeks from today, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge -cum- Special Judge, Excise Act, Nalanda at Biharsharif in Harnaut PS Case No. 309 of 2018 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code.

(Madhuresh Prasad, J)

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