

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5057 of 2018

Arising Out of PS.Case No. -136 Year- 2017 Thana -RAJEPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhiraj Sah @ Dhiraj Kumar Sah, S/o Keshav Sah,
2. Keshav Sah S/o Late Batahu Sah, Both are R/o Ward No. 10, Bhurkurwa
Post Bhurkurwa, P.S.- Rajepur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 02-02-2018

Heard both sides.

The petitioners apprehend their arrest in Rajepur P.S. case No. 136 of 2017 under Section 272, 273 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition & Excise Act.

The informant, a police officer, got information that petitioners were illegally selling liquor. On such, field situated behind the house of petitioner was searched and different bottles of IMFL weighing 6 liter and 300 ml. were recovered from the cauliflower field of petitioners.

The learned counsel for the petitioners submits that small quantity of liquor was not recovered from the conscious



possession of the petitioners and there is nothing on record to show that petitioners have kept the liquor in the field. The field is open and anybody might have kept the liquor in order to implicate the petitioners.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, in connection with Rajepur P.S. case No. 136 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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