

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32596 of 2018

Arising Out of PS. Case No.-433 Year-2017 Thana- DEEPNAGAR District- Nalanda

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1. Uchit Kumar, son of Tunni @ Tunni Mahto
 2. Dinesh Kumar, son of Mundrika Mahto @ Mundrika Mahto Mahto
- Both 1 and 2 residents of village-Navinagar, P.S.
Deepnagar, District-Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 13-06-2018 Heard Sri Anil Chandra, learned counsel for the
petitioners and Sri Dinesh Singh, learned Addl. Public
Prosecutor.

Two petitioners, apprehending their arrest in
Deepnagar P.S. Case No.433 of 2017 registered for the offence
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016, have prayed for grant of bail, in the event of arrest or
surrender.

It was submitted by learned counsel for the petitioners
that nothing was recovered either from the conscious possession
of the petitioners or from the premises of the petitioners, rather
in this case, on confidential information a raid was conducted in
the house of one of the co-accused Shankar Kumar, from where



recovery of 41.9 liters of Indian Make Foreign liquor was shown and subsequently the petitioners were arrayed as accused as if they were seen fleeing away by the villagers, but the name of villager has not been mentioned, who disclosed the name of the petitioners and even then the petitioners have been arrayed as accused. He further submits that both petitioners are having clean antecedent, which fact has been stated in paragraph-3 of the petition.

In view of the fact that petitioners are having clean antecedent and nothing was recovered from the conscious possession of the petitioners, let both the petitioners, namely, (i) Uchit Kumar and (ii) Dinesh Kumar, in the event of their arrest or surrender within six weeks from today, 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 Vith Addl. District and Sessions Judge-cum-Special Judge, Nalanda at Bihar Sharif in connection with Deepnagar P.S. Case No.433 of 2017, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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