

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55370 of 2018

Arising Out of PS. Case No.-136 Year-2018 Thana- Hathuwa District- Gopalganj

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1. Vikash Kumar Sah Son of Shivnath Sah.
 2. Guddu Sah S/o Shiv Nath Sah.
- Both are resident of Village- Atwa Durg, P.S. Hathuwa, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithish Ranjan

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-10-2018 Heard Sri Prithish Ranjan, learned counsel for the petitioners. None appeared on behalf of State.

Two petitioners, apprehending their arrest in Hathuwa P.S. Case No. 136 of 2018 registered for offence under Sections 30(a), 38(i) (ii), 41(i)(ii) of 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 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 implicated in the case, as if, the person, who was apprehended in Alto-800 car, has disclosed the name of both petitioners with



another person, who had fled away after noticing the police. It has been reiterated that petitioners are having no connection with the vehicle in question or the liquor, which has been recovered. In the case, about six liters of Indian make foreign liquor was shown to be recovered.

Considering the fact that both petitioners are having clean antecedent, nature of accusation as well as the fact that they have been made accused on the basis of confessional statement of co-accused, in the event of arrest or surrender within a period of six weeks from today, let both petitioners namely Vikash Kumar Sah and Guddu Sah 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 2nd Addl. Sessions Judge-cum-Special Judge Excise, Gopalganj in connection with Hathuwa P.S. Case No. 136 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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