

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23466 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- KOTWA District- East Champaran

1. Sanjay Thakur
2. Sanjeet Thakur @ Sanjeet Kumar Thakur
Both Sons of late Mahadeo Thakur, Resident of Village Chiyataha, P.S. Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Karandeep Kumar, Advocate

For the Opposite Party/s : Sri Rajballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 23-04-2018 Heard Sri Karandeep Kumar, learned counsel for the petitioners and Sri Rajballabh Singh, learned Additional Public Prosecutor.

Two petitioners, apprehending his arrest in Kotwa P.S. Case No. 48 of 2018 , registered for the offence under Sections 272, 273 of the Indian Penal Code , 1860 and Section 30(A) and 37 (b) 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 no. 3 of the petition to show that both petitioners are having clean antecedent . It has also been argued that nothing was recovered from conscious possession of the petitioners. He submits by way of referring to the F.I.R. that to the reasons best known to the



Police Officer, in the F.I.R. it was indicated as if Police had got secret information that both had concealed huge quantity of Indian make foreign liquor in the hut of one Dinesh Ram. Thereafter, Police conducted raid in the hut of Dinesh Ram, however, only one person that is Dinesh Ram was shown fleeing away and from hut huge quantity of Indian make foreign liquor was shown to be recovered and only on suspicion petitioners have been made accused.

Considering the nature of accusation as well as clean antecedent of petitioners, in the event of their arrest or surrender within a period of six weeks from today, let both the petitioners Sanjay Thakur and Sanjeet Thakur @ Sanjeet Kumar Thakur be enlarged on bail on furnishing bail bond of Rs. **10,000/-** (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, East Champaran at Motihari / concerned court in connection with Kotwa P.S. Case No. 48 of 2018 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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