

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71066 of 2018

Arising Out of PS. Case No.-88 Year-2018 Thana- ANDHRAMATH District- Madhubani

1. Rupesh Kumar Thakur, Son of Ranjit Thakur Resident of Village-Sahpur, P.S. Bhaptiyahi, Distt.-Supaul
2. Gaurav Kumar Jha @ Gaurav Kumar Munna, Son of Arun Jha @ Arun Kumar Jha, Resident of Village-Murali, P.S. Kishanpur, Distt.-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in Andhramath P.S. Case No. 88 of 2018 (G.R. No. 920 of 2018) instituted for the offence under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition of Liquor and Excise Act, 2016.

The prosecution case hinges on the self-statement of the informant Rupak Kumar Ambuj, S.H.O, Andhramath P.S. recorded by himself stating therein that while on 1.7.2018 at about 3.30 AM he along with other police personnel were on patrolling duty, they saw that one motor cycle was coming from



Nepal side and one four wheeler vehicle was also coming from the back of the motor cycle. It is alleged that on seeing the Police personnel, the person riding the motor cycle stopped his motor cycle and fled away leaving the motor cycle. Thereafter, the other persons who were sitting on four wheeler vehicle also tried to run away after stopping the vehicle but on chase one of them was apprehended by the informant, who disclosed his name as Ranjeet Thakur. It is alleged that on search of four wheeler vehicle, 1170 bottles of Nepalese beer containing 300 ml each totaling 351 liter was recovered.

Counsel for the petitioner submits that petitioner was not apprehended on the spot. It is alleged that on the Indo Nepal Border, police arrested Ranjeet Thakur from the vehicle. He disclosed the name of petitioner before the police.

Petitioner is said to be in custody since 26.9.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named, be released 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 Additional District & Sessions Judge-II-cum-Special Judge (Excise), Madhubani, in connection with Andhramath P.S. Case No. 88 of



2018 (G.R. No. 920 of 2018), subject to the condition that both
the bailors will be the close relatives of the petitioners.

(Sanjay Priya, J)

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