

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7867 of 2019

Arising Out of PS. Case No.-398 Year-2018 Thana- MANER District- Patna

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1. Amit Kumar @ Amit Kumar Singh, S/o Chandrama Singh resident of Naya Tola Mahadeo Sthan, P.S-Maner, Patna
 2. Jimi Kumar @ Jimmi Kumar @ Jhimi Kumar, S/o Sunil Singh resident of Naya Tola Mahadeo Sthan, P.S-Maner, Patna
 3. Vijay Kumar @ Jhunna Kumar @ Jhuna Kumar, S/o Late Arvind Singh resident of Maner Basti, P.S-Maner, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise, Act, 2016.

It is alleged that on a secret informant to the effect that transportation of illegal liquor is carried on, a raid was laid by the informant, whereupon, one person was apprehended on the spot after being chased by the police, who disclosed his name as Ranjeet Kumar. On frisking, 84 bottles of illicit imperial blue liquor 180 ml each were recovered from a bag. The apprehended



co-accused further disclosed that the supply of the said liquor was ordered by his maternal uncle Vijay Kumar, whereas, supply is being made by petitioner nos. 1 and 2, Amit Kumar and Jimi Kumar.

It is submitted by learned counsel for the petitioners that admittedly, no recovery has been made from the possession of the petitioners and they have been roped in the present case maliciously. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the name of the petitioners' sprang up on the confessional statement of apprehended accused as supplier of the illegal liquor.

Considering the accusation does not suggest the recovery from the conscious physical possession of the petitioners, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the



learned Special Judge Excise, Patna, in connection with Special Case No.7278 of 2018 (arising out of Maner P.S. Case No.398 of 2018), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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