

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1801 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- SALIMPUR District- Patna

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1. Mithun Kumar, aged about 35 years (Male).
 2. Ajit Kumar, aged about 30 years (Male).
- Sons of Late Nityanand Singh, resident of Village Narali, P.S. Salimpur,
Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Singh
For the Opposite Party/s : Mr. Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Special Case No. 8757 of 2018 arising out of Salimpur P.S. Case No. 252 of 2018 registered for offences under sections 30(a) of the Bihar Excise Act and Prohibition Act.

As per allegation, on a secret information, the police party inspected the house of Nawal Singh which was locked from outside, when it was pipped out from outside, huge quantity of illegal liquor was found lying therein. The police party entered into the house and found about 41 liters of illegal



liquor and the villagers informed that the same were kept by the petitioners.

Learned counsel for the petitioners submits that the house, in question, is not the house of the petitioners, merely on the statement of the villagers, they have wrongly been implicated in the present case. It has also been submitted that the petitioners have no concern with the assignment placed in the house of Nawal Singh.

The petitioners have got no criminal antecedent.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, 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 Special Judge, Excise, Patna in connection with Special Case No. 8757 of 2018 arising out of Salimpur P.S. Case No. 252 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled. It is made clear that, in future, if the petitioners are found involved



in similar offences, the prosecution will be at liberty to pray for
cancellation of their bail bonds.

(Shivaji Pandey, J)

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