

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4955 of 2019

Arising Out of PS. Case No.-258 Year-2018 Thana- SHEOHAR District- Sheohar

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1. Md. Firoz son of Md. Muslim
 2. Ram Babu Patel son of Ram Sagar Patel

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 6.11.2018 in a case registered for the offences punishable under Sections 290 and 420 of IPC, Section 11 of Public Gambling Act and 37(a)(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of SI Kanhaiya Kumar, submitted to the SHO, Sheohar Police Station is to the effect that on 6.11.2018 at 12.05 A.M. during patrolling, he received an information that illegal sale of liquor was going on behind the house of Amod Sah and people are playing cards and creating nuisance. When the police reached at the spot, ten persons were found in intoxicated condition. Out of ten persons including the petitioners, from petitioner no. 1, a mobile phone and cash and from petitioner no. 2, some cash were recovered. It is further alleged that petitioner no. 2 was



found in intoxicated condition.

It is submitted by learned counsel for the petitioners that only on the basis of suspicion, the accusation has been levelled. It is further submitted that petitioner no. 1 is not having any criminal antecedent and petitioner no. is accused in one other case of similar nature but petitioner no. 2 is on bail in that case.

Learned APP submits that the petitioners were found creating nuisance in intoxicated condition.

Considering the suspicious nature of accusation and the period under custody, 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 the learned Additional Sessions Judge II-cum-Special Judge, Sheohar in connection with Sheohar P.S. Case No.258 of 2018.

(Dinesh Kumar Singh, J)

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