

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3043 of 2019

Arising Out of PS. Case No.-397 Year-2017 Thana- BIHTA District- Patna

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1. Chhathu Rai, Son of Ram Chandra Rai
 2. Chandramal Rai, Son of Late Bilash Bhagat
 3. Harindra Rai, Son of Madheshwar Rai

All are residents of village Daulatpur, Police Station Bihat, District-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-01-2019 Heard both sides.

Petitioners apprehend their arrest in Bihta P.S. Case No.397 of 2017 registered under Sections 272 and 273 of the Indian Penal Code as well as under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The police on information that somebody were selling illicit liquor by the side of the railway line situated near Daulatpur Badhar, the police arrested Sajjan Kumar, Ramayan Prasad and Sanjay Kumar and from their possession country made liquor was recovered. Sajjan Kumar, Ramayan Prasad and Sanjay Kumar are said to have disclosed the name of the petitioners that they were also selling illicit liquor.

Learned counsel for the petitioners submits that



nothing was recovered from possession of the petitioners. No liquor was found save and except the liquor recovered from possession of three apprehended accused. On account of village politics, the apprehended accused disclosed the name of the petitioners.

Considering the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged 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 Special Judge, Excise, Patna in connection with Bihta P.S. Case No.397 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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