

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7178 of 2019

Arising Out of PS. Case No.-320 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. VISHUNDAYAL SHAH @ VISHNUDAYAL SAH s/o Late Chandrika Shah
Resident of village-Gour Bujurg, P.S.-G.B. Nagar District- Siwan
 2. Baharan Manjhi S/o Kunji Manjhi Resident of village-Gour Bujurg, P.S.-G.B.
Nagar District-Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Tiwary
For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-02-2019 Heard both sides.

The petitioners apprehend their arrest in G.B. Nagar
P.S. case No. 320 of 2018 registered under Section 272, 273,
308 of the Indian Penal Code and u/s 30(A), 38/41/(i) of Bihar
Prohibition & Excise Act.

The informant got secret information that Vishundayal
Sah, petitioner No.1, Suresh Sah and Baharan Manjhi, petitioner
No.2, were selling illicit liquor by the side of poultry farm of
petitioner No.2. The police went there to verify the information
but all the three persons started fleeing away. Suresh Sah was
apprehended. By the side of poultry farm of petitioner No.2,
4.130 liter of country made liquor was recovered.



The learned counsel for the petitioners submits that liquor was recovered from outside of poultry farm of petitioner No.2. Nothing has been recovered from conscious possession of petitioner No.1. The Chowkidar disclosed the name of petitioners but no villagers supported the facts of selling liquor by the petitioners.

Considering the facts aforesaid and the nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- II-Siwan in connection with G.B. Nagar P.S. case No. 320 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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