

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8065 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- JHANJHARPUR District- Madhubani

1. RADHE SHAYAM MISHRA Son of Tulakant Mishra Resident of Village – Pattitol, P.S. Bhairav Sthan Dist. Madhubani
2. Gopal Thakur Son of Jiwechh Thakur Resident of Village - Raiyam, P.S.- Bhairav Sthan, Dist. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-02-2019 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in Jhanjharpur P. S. Case No. 174 of 2018 instituted for the offence under Section(s) 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for petitioners submits that there is no recovery of any liquor from possession of these petitioners. Petitioners were found standing near the premises of Bhawani Construction. The police has arrested these petitioners merely on suspicion.

Seizure list is part of F.I.R. From perusal of seizure list, it appears that recovery has been made from the premises of



Bhawani construction. The Hero Honda motorcycle and Innova car were found standing near the premises of Bhawani Construction.

From the seizure list itself it further appears that there is no recovery of any liquor from possession of these petitioners. Police recovered only mobile phone from their possession.

The petitioners are in custody since 18.12.2018 having no criminal antecedent.

Considering the aforesaid, 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 A.D.J.II cum Special Judge (Excise Act,) Madhubani, in connection with Jhanjharpur P. S. Case No. 174 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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