

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10993 of 2019

Arising Out of PS. Case No.-472 Year-2018 Thana- MANER District- Patna

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1. CHINTU KUMARI Son of American Rai
 2. Mahendra Rai Son of Rajnath Rai
Resident of Nilkanth Tola, Gauraiya Sthan, P.S.- Maner

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Special Case No.8607 of 2018 arising out of Maner P.S. Case no.472 of 2018 , registered for offences punishable under Section 30(a) of Bihar Madhy Nishedh & Excise Act, 2016.

Allegation against the petitioners is that the police intercepted the miscreants, who are carrying liquor on the motorcycle and one of the accused was arrested and he disclosed the name of the petitioners and from the motorcycle of the petitioner no.1, 25 ltrs. of liquor have been recovered.

Submission of the learned counsel for the petitioners is



that there is no recovery from his conscious possession or from his house and he has been named on the basis of confessional statement and the motorcycle also does not belong to the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Spl. Judge Excise Act, Patna in connection with Special Case No.8607 of 2018 arising out of Maner P.S.Case no.472 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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