

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10214 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- KAMTAUL District- Darbhanga

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1. Bablu Prasad @ Shivnath Prasad S/o Late Laxman Seth R/o Village- Kamtaul, P.S.- Kamtaul, District- Darbhanga.
 2. Shyam Sah S/o Arjun Sah R/o Village- Kamtaul, P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-02-2019 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with G.O. Excise Case No. 1033 of 2018, arising out of Kamtaul P. S. Case No. 330 of 2018, dated 17.11.2018 instituted for the offences under Sections 30(a), 38, 47 and 37(c) of the Bihar Prohibition and Excise Act, 2016.

Approximately 1.690 litres of liquor is said to have been recovered from the house of one Rajesh Kumar Sah, who, on his arrest, took the name of the petitioners also.

Learned counsel for the petitioners has submitted



that except for the aforesaid confession of an arrested co-accused, there is no other material to connect the petitioners with the offence. There is no recovery either from the petitioners or from their constructive possession.

The petitioners have clean antecedents.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-V cum Special Judge (Excise), Darbhanga in connection with G.O. Excise Case No. 1033 of 2018, arising out of with Kamtaul P. S. Case No. 330 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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