

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13603 of 2019

Arising Out of PS. Case No.-519 Year-2018 Thana- PUPRI District- Sitamarhi

1. DEEPAK KUMAR MISHRA @ DEEPAK KUMAR, aged about 21 years, Male, S/o Jivachh Mishra
2. Sonu Raut @ Sonu Kumar, aged about 20 years, Male, S/o Late Pritam Raut
3. Shive Devi @ Shivo Devi, aged about 48 years, Female, W/o Bharat Mahto
All are resident of Village- Hardia, P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioners apprehend their arrest in Pupri P.S. Case No.519 of 2018 registered under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 38, 41 of Bihar Prohibition and Excise Act.

The S.H.O. of Pupri P.S. alleged in gist that he got information that some illicit liquor was brought and kept in the cattle shed of Bharat Mahto. 5-6 persons are illegally transporting illicit liquor. On such information, the informant raided the cattle shed of Bharat Mahto but no liquor was recovered. The informant recovered one diary in which the name of petitioner No.1 was mentioned. Thereafter, the informant raided the orchard of Rajaram Mahto from where



82.125 liters of Indian made foreign liquor was recovered.

The learned counsel for the petitioners submits that petitioner No.1 is Deepak Kumar Mishra whose name figured in the diary. Petitioner No.2, Sonu Kumar has got no manner of concern with the cattle shed of Bharat Mahto and petitioner No.3 is the wife of Bharat Mahto. No liquor was recovered from the cattle shed of Bharat Mahto. Petitioners had no manner of concern from the recovery made from the orchard of Rajaram Mahto.

Considering the aforesaid facts, let the 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 the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. IInd-cum-Special Judge, Excise Act, Sitamarhi, District Sitamarhi in connection with Pupri P.S. Case No.519 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Saurabh/-

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(Prabhat Kumar Jha, J)

