

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79260 of 2018

Arising Out of PS. Case No.-310 Year-2018 Thana- DUMRA District- Sitamarhi

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1. Shafi Alam @ Dulare Khan @ Safi Alam Son of Nurul Khan @ Nurul Kho
 2. Reshma Khatoon Wife of Shafi Alam @ Dulare Khan @ Safi Alam
- Both are Resident of Village -Murlia chowk, P.S. and District-Sitamarhi, at present resident of Mohalla- Shankar chowk, Gudari Bazar, P.S.- Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar
For the Opposite Party/s : Mr.Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioners apprehend their arrest in Dumra P.S.
Case No.310 of 2018 registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The S.H.O. of Dumra P.S. alleged that he got information that both petitioners being husband and wife were selling illicit liquor at their grocery shop but when the shop of the petitioners was raided, no liquor was recovered. 600 ml liquor is said to have been recovered from the house of the petitioners.

Learned counsel for the petitioners submits that the



recovery of liquor was transplanted. Nothing has been recovered from the house of petitioners. On account of some petty dispute, the S.H.O. of Dumra P.S. falsely implicated the petitioners.

Having considered the facts and the nature of allegation made against the petitioners and the fact that the petitioners are husband and wife and nothing has been recovered from conscious possession of the petitioners, the above named petitioners, 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 bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise Act, Sitamarhi in connection with Dumra P.S. Case No.310 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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