

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23568 of 2019

Arising Out of PS. Case No.-200 Year-2018 Thana- SIWAN GRP CASE District- Siwan

1. Deepak Kumar, aged about 25 years, Male, S/o Prabhuji Prasad R/o village- Ratanpura, Ward no. 12, P.S.- Bhagwan Bazar, District- Saran
2. Sunil Rai @ Munna, aged about 22 years, Male, S/o Sukhari Rai R/o village- Ratanpura, Ward no. 12, P.S.- Bhagwan Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Manish Kumar No2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-04-2019 Heard both sides.

Petitioners apprehend their arrest in Siwan Rail P.S.

Case No.200 of 2018, registered under Section 30(क) of the Bihar Prohibition and Excise Act, 2016.

The police on secret inputs apprehended Lakshmina Devi, Sunil Rai and Manorma Devi and recovered 51.300 litres of foreign liquor and they disclosed that they use to carry liquor after taking from Gorakhpur and deliver the same to Om Prakash Prasad son of late Nathuni Prasad, Deepak Kumar, son of Prabhuji Prasad, petitioner no.1 and Sunil Rai @ Munna, son of Sukhari Rai, petitioner no.2. In lieu thereof, they each got Rs.1000/- per day.

Learned counsel for the petitioners submits that in pursuance to the disclosure made by the apprehended accused,



nothing has been recovered from possession of the petitioners. The apprehended accused simply disclosed the name of the petitioners although the Investigating Officer did not collect any material to show that the petitioners engaged the apprehended accused for transportation of liquor from Gorakhpur, Uttar Pradesh to Siwan, Bihar.

Taking into consideration the facts aforesaid and the fact that nothing has been recovered from possession of the petitioners and the name of the petitioners surfaced in the case on the disclosure made by the persons who were apprehended with liquor, let 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 this order, be enlarged 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 learned 2nd Additional Sessions Judge, Siwan in connection with Siwan Rail P.S. Case No.200 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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