

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32510 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- BENIPATTI District- Madhubani

1. MD. MASOOM Son of Md. Yasin Resident of Makiya, P.S.- Benipatti, District- Madhubani
2. Shayam Sah Son of Suresh Sah Resident of Makiya, P.S.- Benipatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Benipatti P.S.Case No.18 of 2019 G.R.No.105 of 2019 , registered for offences punishable under Sections 30(a) of Excise Act.

Allegation against the petitioners is about recovery of 987.915 ltrs. of foreign liquor from the house of Bablu Sonar and it is said that the petitioner and other accused persons succeeded in fleeing away.

Submission of the learned counsel for the petitioners is that no source of identification of the petitioner has been mentioned and he has no criminal antecedent as well as



nothing has been recovered form their house or from their conscious possession.

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 2nd ADJ, Madhubani cum Special Judge, Excise Act, Madhubani in connection with Benipatti P.S.Case No.18 of 2019, G.R.No.105 of 2019, 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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