

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33388 of 2019

Arising Out of PS. Case No.-51 Year-2017 Thana- KHAGARIA District- Khagaria

1. Laxman Sah, Son of Late Ganesh Sah, Resident of Village- Bachhauta, P.S.- Morkahi, District- Khagaria.
2. Ramchandra Sah, Son of Late Ganesh Sah, Resident of Village- Bachhauta, P.S.- Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Khagaria Muffasil P.S. Case No. 51 of 2017, registered under Sections 372 and 273 of the Indian Penal Code and Section 36 of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about preparing and selling of illicit liquor in village Ranga Dih Kukurmara Bahiyar, the informant along with other police personnel reached there. On seeing the police party, some persons started to flee away but on chased, one person was apprehended, who disclosed his name as Arbind Mahto. On



search, two big pots, other containers containing five litres country made liquor and some materials for preparing the liquor recovered from the field and a tempo was also found from the place of occurrence. Arbind Mahto also disclosed the name of Ram Pyari Devi as owner of the field, from where, the aforesaid country made liquor and containers were recovered.

Learned counsel for the petitioners submits that petitioners are not named in the F.I.R. but in course of investigation, it has come that the aforesaid field, from where, the country made liquor and containers were recovered, is not belonging to Ram Pyari Devi rather the same is of both petitioners. In fact, petitioners have no concerned to the filed from where alleged recovery was made and the petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Additional Sessions Judge-II-cum-Spl. Judge, Excise, Khagaria, in connection with Khagaria Muffasil P.S. Case No. 51 of 2017,



subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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