

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33985 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- PUPRI District- Sitamarhi

1. AJAY PRASAD @ AJAY KUMAR Son of Devendra Prasad Resident of Ward No.6 Nagar Panchayat, Janakpur Road, Pupari, Police Station- Pupari, District- Sitamarhi.
2. Arvind Prasad @ Arvind Kumar Son of Devendra Prasad Resident of Ward No. 6 Nagar Panchayat, Janakpur Road, Pupari, Police Station- Pupari, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 272 and 273 of the I.P.C. and Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

There is allegation of recovery of 7.200 litres of foreign liquor from the side of the road near the Janakpur Railway station. Petitioner is alleged to have fled away from the spot after arrival of police.

Learned counsel for the petitioners submits that these petitioners have no criminal antecedent. Provisions of section



100 of the Cr.P.C. have not been followed in the alleged search and recovery. Petitioners have no concern with the alleged recovery. Nothing has been recovered from the possession of these petitioners.

Considering the facts of the case, let the petitioners, above named, in the event of their arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released 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 Addl. District Judge-II-cum- Special Judge, Excise Act, Sitamarhi in Pupari P.S. Case No. 125 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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