

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39305 of 2019

Arising Out of PS. Case No.-82 Year-2019 Thana- ARA MUFFASIL District- Bhojpur

1. Gambhira Yadav @ Gambhira Rai, Son of Late Teju Yadav Resident of Village - Dhudhuwan, P.S.- Ara (Muffasil), Dist.- Bhojpur Ara.
2. Deepak Yadav @ Deepak Kumar, Son of Gambhira Yadav @ Gambhira Rai, Resident of Village - Dhudhuwan, P.S.- Ara (Muffasil), Dist.- Bhojpur Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ara Muffasil P.S. Case No. 82 of 2019, registered under Section 30(a) of the Bihar Excise Act.

The accusation is that informant received secret information about keeping illegal liquor by both petitioners. Thereafter, informant along with other police personnel reached at village Dhudhua then saw two persons boarding on motorcycle were carrying the plastic bag but on seeing informant and other police personnel, they succeeded to flee away throwing plastic bag. The local Choukidar identified both



petitioners, who succeeded to flee away. On search, 162 bottles, each containing 180 ml country made liquor recovered from the plastic bag.

Learned counsel for the petitioners submits that both petitioners have not been apprehended at the spot by the police rather their names have been disclosed in the F.I.R. on the basis of statement of local Choukidar due to dirty village politics.

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 4th Additional Sessions Judge-cum-Special Judge, Bhojpur, Arrah, in connection with Ara Muffasil P.S. Case No. 82 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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