

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48642 of 2019

Arising Out of PS. Case No.-61 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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1. PAPPU SAHANI, aged about 40 years(Male), Son of Late Shankar Sahani
 2. Birju Sahani, aged about 30 years(Male), Son of Late Shankar Sahani
- Both are Resident of Village - Chandar, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-08-2019 Heard both sides.

The petitioners apprehend their arrest in Case No.61C2 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act.

Rohit Kumar was apprehended and from his bag, 7 bottles of Indian made foreign liquor were recovered.

The learned counsel for the petitioners submits that Excise officials alleged that both the petitioners managed to flee away and the recovery was made from the bag in possession of Rohit Kumar. Rohit Kumar is son of petitioner No.1 and is nephew of petitioner No.2 that is why the petitioners have also been implicated in the case.



It appears that nothing has been recovered from the possession of the petitioners and merely on recovery made from Rohit Kumar, the petitioners, who were said to have been accompanied Rohit Kumar, were made accused in the case.

Taking into consideration the facts aforesaid, let the 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 the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd -cum-Special Judge, Excise Act, Begusarai in connection with Case No.61C2 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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