

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73661 of 2018

Arising Out of PS. Case No.-274 Year-2018 Thana- TARAIYA District- Saran

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1. Raj Kumar Singh, Son of Harihar Singh.
 2. Bittu Singh @ Bittu Kumar Singh, Son of Raj Kumar Singh.
- Both resident of Village- Harakhpura, P.S.- Taraiya, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Taraiya P.S. Case No.274 of 2018 registered under Section 188 of the Indian Penal Code besides Sections 30/30(a) of the Bihar Excise and Prohibition Act, 2016.

The accusation is that on receiving secret information about selling of the illicit liquor by Chandan Kumar Singh, the informant along with other police officials raided the house of Chandan Kumar Singh and recovered 9 bottles, each containing 375.00 ml. and 20 bottles, each containing 180.00 ml., Indian Made Foreign Liquor. Thereafter, the informant and other police officials along with Chandan Kumar Singh raided the house of the petitioners and from maize field, situated behind the house of the petitioners,



recovered 25 bottles, each containing 375.00 ml., and 52 bottles, each containing 180.00 ml., Indian Made Foreign liquor.

Learned counsel appearing for the petitioners submits that, admittedly, the petitioners, who are father and son in relation, are the Gotiyas of the co-accused Chandan Kumar, due to that reason, they have falsely been implicated in this case. Further submission is that it would appear from the F.I.R. that 18.735 liters Indian Made Foreign Liquor is said to be recovered from the maize field, situated behind the house of the petitioners, which does not belong to the petitioners. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the 6th Additional Sessions Judge, Saran at Chapra, in connection with Taraiya P.S. Case No.274 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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