

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46444 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- DHAKA District- East Champaran

1. HASIB KHAN Son of Wakil Ahmad Resident of Village- Padadi, P.S.- Dhaka, District- East Champaran.
2. Nizam Khan @ Nezam Khan S/o Kalam Khan Resident of Village- Padadi, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2019 This application, for grant of anticipatory bail, arises out of Dhaka P.S. Case No. 92 of 2019, disclosing offences under Sections 30(a) of the Bihar Prohibition of Excise Act, 2016.

Allegation as per F.I.R. is that the police, while patrolling duty apprehended one person with Tata Safari car, who disclosed his name as Md. Nauashad Alam and on search 873 litres of Nepali Saufi liquor was recovered and the said apprehended person also disclosed the names of other accused including petitioners as his associate in the liquor trade.

Submission of learned counsel for the petitioners is that nothing has been recovered either from the house of the



petitioners or at their instance and their names have surfaced in this case only on the basis confessional statement made by co-accused of this case.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, East Champaran, Motihari in connection with Dhaka P.S. Case No. 92 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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