

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56198 of 2019

Arising Out of PS. Case No.-343 Year-2019 Thana- MINAPUR District- Muzaffarpur

1. Manish Kumar, Son of Ranjit Kumar Resident of Village- Pakhnaha Jitwar, P.S.- Minapur, District- Muzaffarpur through under guardian and father of petitioner Ranjeet Kumar, son of Kiran Rai age about 50years, R/o village- Pakhnaha, P.s- Minapur, District- Muzaffarpur.
2. Gaurav Kumar Son of Chulhai Pandit Resident of Village- Barahasan, P.S.- Minapur, District- Muzaffarpur through under guardian and father of Gaurav Kumar of the petitioner no.2 Chulhai rai, son of Bhaju Pandit aged about 55 years, Resident of Village- Barahassan,P.s- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Minapur P.S. Case no. 343 of 2019, registered under Sections 272, 273 and 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty, informant and other Police personnel received information about keeping of theft motorcycle by Vikash Kumar and Nitesh Kumar of village-Bhelaipur. The informant and other Police personnel reached in village-Bhelaipur, but he was found



absent at his house, while one Galamour motorcycle red and black colour was found there, but paper regarding ownership of the motorcycle was not produced. The family members disclosed that the said motorcycle has given by Vikash Kumar, Nitesh Kumar, Manish Kumar (Petitioner No.1), Gaurav Kumar (Petitioner No.2) and Shyam Kumar. Thereafter, informant and other Police personnel reached at the house of Vikash Kumar and Nitesh Kumar in village-Badahussan, where both persons were present in their house. On search, 9 bottles, each containing 750 ML Indian made foreign liquor kept in plastic bag beside the house recovered.

Learned counsel for the petitioners submits that, in fact, petitioners were not apprehended on the spot. Further submission is that both the petitioners have been implicated in this case mere on suspicion. The petitioners have no criminal antecedent.

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 four 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 Special Judge



Excise Act, Muzaffarpur in connection with Minapur P.S. Case
No. 343 of 2019 (G.R. No. 1203 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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