

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51433 of 2019

Arising Out of PS. Case No.-34 Year-2019 Thana- HATHAURI District- Samastipur

1. AMAN KUMAR @ CHANDRAS KUMAR Son of Late Sitaram Mandal Resident of Village-Majarahiya, P.S.-Hathauri, District-Samastipur.
2. Pankaj Kumar @ Pankaj Kumar Singh Son of Late Sitaram Mandal Resident of Village-Majarahiya, P.S.-Hathauri, District-Samastipur.

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Rajeev Ranjan, Advocate.
For the State : Mr. A.M.P. Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 19-08-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hathauri P.S. Case No.34 of 2019 registered under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2016.

The accusation is that on receiving secret information about carrying the illicit liquor loading on a pickup van by Raj Kumar Mahto, Aman Kumar alias Chandras Kumar (petitioner no.1) and Pankaj Kumar (petitioner no.2) towards Kareh River Dhaab passing through village-Dhiwahi for selling the same at high rate at Dhaab, the informant along with other police



personnel reached there. At that time, one pickup van was seen coming towards Kareh Dhaab from Shanti Chowk. While the pickup van was tried to be surrounded by police vehicle but the driver of the pickup van along with the aforesaid persons succeeded to flee away, leaving the pickup van. On search of the pickup van, 55 cartoons, each containing 24 bottles of 375 ml. Indian Made Foreign Liquor, 8 cartoons, each containing 48 bottles of 180 ml. Indian Made Foreign Liquor, and 18 cartoons, each containing 24 bottles of 375 ml. Indian Made Foreign Liquor, were recovered.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedents and, on mere suspicion, they have falsely been implicated in this case. Nothing has been recovered either from the conscious possession of the petitioners or from their house. Moreover, the seized pickup van is not belonging to the petitioners.

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 Additional Sessions



Judge-II-cum-Special Judge, Excise, Samastipur, in connection
with Hathauri P.S. Case No.34 of 2019, subject to the conditions
laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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