

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79187 of 2018

Arising Out of PS. Case No.-757 Year-2018 Thana- SHEKHPURA District- Sheikhpura

1. Sanjay Sao S/o- Ram Das Sao,
2. Sonu Sao S/o- Sanjay Sao, R/o Village-Pachna, P.S. and District-Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Sri Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioners apprehend their arrest in Sheikhpura P.S. Case No.757 of 2018 registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The S.H.O. of Sheikhpura P.S. alleged that he got information that Sanjay Sao and Sonu Sao (petitioners) with the help of Manoj Sao and Prince Kumar brought huge quantity of Indian made foreign liquor and kept in the house of Dhuri Yadav for illegal trade. The informant with the help of other police officials raided the house of Dhuri Yadav and recovered 85 cartoons each containing 12 bottles of liquor.

Learned counsel for the petitioners submits that the recovery was made from the house of Dhuri Yadav. Nothing has been recovered from the house of the petitioners nor from



conscious possession of the petitioners. The informant illegally named the petitioners without any basis.

Having considered the facts that the petitioners are named by the informant but nothing has been recovered from conscious possession of the petitioners, the above named petitioners in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sheikhpura in connection with Sheikhpura P.S. Case No.757 of 2018, Excise Case No.312 of 2018, 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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