IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68880 of 2019

Arising Out of PS. Case No.-93 Year-2019 Thana- HULASGANJ District- Jehanabad

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1. NIWASH SHARMA Son of Sri Uttam Deo Singh Resident of Village - Jaru, P.S.- Hulasganj, Dist.- Jahanabad.
2. Dhiraj Sharma Son of Ajay Sharma Resident of Village - Jaru, P.S.- Hulasganj, Dist.- Jahanabad.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Uday Shankar Choudhary
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

Learned counsel appearing for the petitioners submits that the petitioners who are of clean antecedent, are innocent and have not committed any offence. Nothing has been recovered from the conscious possession of the petitioners and the petitioners have no concern with the alleged recovery of seized Motorcycle. No prima facie case is made out against the petitioners under section 30(a) of the

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Bihar Excise (Prohibition) Amendment Act, 2016. Hence, the petitioners may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of their arrest or surrender before the court below within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Additional Session Judge-II, Jehanabad in connection with Hulasganj P.S. Case No. 93 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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