

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63749 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- BARAULI District- Gopalganj

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1. Durgesh Singh @ Mukesh, Son of Late Ramdeo Singh Resident of Village-Bara Badeya Police Station-Barauli, District-Gopalganj.
 2. Mallu Singh Son of Ramjanam Singh Resident of Village-Bara Badeya Police Station-Barauli, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Barauli P.S. Case no. 56 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information about keeping the liquor by both the petitioners in their house in village-Barabadya, the informant along with other Police personnel reached there. On seeing the Police party, two persons succeeded to flee away, but villagers present there disclosed the name of petitioners, who succeeded to flee



away. On search, one plastic bag containing 71 bottles Indian made foreign liquor recovered, nearby their houses, concealing in the paddy straw.

Learned counsel for the petitioners submits that both the petitioners were not apprehended on the spot, rather, their names are said to be disclosed by the villagers, but name of the villagers has not been disclosed. Moreover, the alleged bottles of liquor has not been recovered from the house of petitioners, rather, the same has been recovered from paddy straw nearby their houses. Further submission is that petitioners have no criminal antecedents.

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) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Barauli P.S. Case No. 56 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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