

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75744 of 2018

Arising Out of PS. Case No.-308 Year-2018 Thana- PATNA CITY CHOWK District- Patna

1. Jaykant Ray, S/o Sanjeevan Ray, R/o Village Baglodan gali, P.S.- Chowk, District- Patna.
2. Mithu Kumar, S/o Bipin Bihari Pandey, R/o Village- Hiranand Sah Gali, P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiva Ranjan

For the Opposite Party/s : Mr.Sri Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-01-2019 Heard Both sides.

Petitioners apprehend their arrest in Chowk P.S. Case No.308 of 2018, giving rise to Excise Special Case No.7331 of 2018, registered under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

The informant, police official, got information about concealment of country made liquor and on such went near the *Ghat* from where Rakesh Kumar @ Buntha was arrested. Both the petitioners and others are said to have fled away. House of petitioner no.1 was searched but nothing was recovered. Rakesh Kumar @ Buntha disclosed the name of the petitioners.

Learned counsel for the petitioners submits that nothing has been recovered from possession of the petitioners.



From the house of Rakesh Kumar @ Buntha, 50 bottles each containing 250 ml. country made liquor were recovered.

Having considered the fact that the name of the petitioners figured in the case on the confession of Rakesh Kumar @ Buntha but nothing has been recovered from possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order be enlarged 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, Patna in connection with Chowk P.S. Case No.308 of 2018, giving rise to Excise Special Case No.7331 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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