

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68068 of 2019

Arising Out of PS. Case No.-86 Year-2019 Thana- KEWATI District- Darbhanga

1. Lalit Yadav @ Lalit Kumar, Aged about 33 years, Male, Son of Raghunath Yadav, Resident of Village- Bahatwara, P.S.- Keoti, District- Darbhanga.
2. Vikash Kumar @ Vikash Mandal, Aged about 18 years, Male, Son of Dinesh Mandal, Resident of Village Bahatwara, P.S. Keoti, District Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Baidya Nath Thakur, Advocate Mr. Prabhakar Thakur, Advocate
For the State	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-11-2019 Heard both sides.

The petitioners apprehend their arrest in Keoti P.S.
Case No.86 of 2019, registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant alleged that he got secret information
about keeping Indian made foreign liquor in Behatwara orchard
and on such raid was conducted. 118.650 litres of Indian made
foreign liquor was recovered. One Amarjeet Kumar was also
apprehended. Amarjeet Kumar is said to have disclosed the
names of the petitioners who are said to have fled away.

Learned counsel for the petitioners submits that
nobody has seen the petitioners keeping liquor or accompanying



Amarjeet Kumar in the orchard. Save and except the so called disclosure made by Amarjeet Kumar, there is no material to show that the petitioners had kept the liquor in the orchard. No offence under Section 30(a) of the Bihar Prohibition and Excise Act is made out against the petitioners.

Taking into consideration the facts and nature of allegation made against the petitioners and the fact that save and except the disclosure made by Amarjeet Kumar, nothing has been recovered from possession of the petitioners and petitioners have got no criminal antecedent, 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 the 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 A.D.J. Vth-cum-Special Judge (Excise Act), Darbhanga in connection with Keoti P.S. Case No.86 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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