

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63542 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- RIGA District- Sitamarhi

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1. Pappu Sah @ Pappu Kumar S/O Rajendra Sah R/O Village- Ramnagara, Ward No.- 9, P.S.- Riga, District- Sitamarhi.
 2. Ajay Singh @ Ajay Kumar S/o Gudar Singh R/O Village- Ramnagara, Ward No.- 9, P.S.- Riga, District- Sitamarhi.
 3. Hari Shankar Kumar S/O Chandeshwar Sah R/O Village- Ramnagara, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-10-2019 The petitioners seek bail in anticipation of their arrest in connection with Riga P.S. Case No. 195 of 2019 dated 20.07.2019 instituted for the offences under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

It appears from the order impugned as also from the F.I.R that 375 litres of Nepali liquor was recovered from the sugarcane field of one Ram Narain Jha. The aforesaid liquor is stated to be of the petitioners.



It has been submitted on behalf of the petitioners that only because their houses are contiguous to the field from where recovery has been made, they have been made accused in this case.

The petitioner Nos. 1 and 3 do not have any criminal antecedents and so far as petitioner No. 2 is concerned, he was made an accused in a case under Section 302/34 I.P.C and not in any case of similar nature in which he is seeking bail. In that case also, the petitioner No. 2 is on bail.

Thus, it appears that no offence under anyone of the provisions of the Bihar Prohibition & Excise Act, 2016 can be said to have been made out, thereby making this petition maintainable.

Considering the aforestated facts, the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of



learned Additional & Sessions Judge-II-cum-Special Judge,
Excise Act, Sitamarhi in connection with Riga P.S. Case No.
195 of 2019, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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