

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64152 of 2019

Arising Out of PS. Case No.-236 Year-2019 Thana- KOCHADHAMAN District- Kishanganj

1. Sagar Rishi, Son of Ganga Rishideo Resident of Village - Maudho, P.S.- Kochadhaman, Distt - Kishanganj.
2. Rajesh Rishi, Son of Kripanand Rishi Resident of Village - Andhasur Bazar, Dogaharia Mandal Tola, P.S.- Kochadhaman, Distt - Kishanganj.
3. Sanjeet Rishi, Son of Kripanand Rishi Resident of Village - Andhasur Bazar, Dogaharia Mandal Tola, P.S.- Kochadhaman, Distt - Kishanganj.
4. Kripanand Rishi, Son of Manglu Rishi Resident of Village - Andhasur Bazar, Dogaharia Mandal Tola, P.S.- Kochadhaman, Distt - Kishanganj.
5. Dev Lal Mandal, Son of Harkhoo Mandal Resident of Village - Andhasur Bazar, Dogaharia Mandal Tola, P.S.- Kochadhaman, Distt - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 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
Special Case No. 312/CIS No. 312/2019 arising out of Kochadhaman
P.S. Case No. 236 of 2019 registered under Section 30(a) of the Bihar
Excise Act, 2016.

The accusation is of recovery of one plastic gallon
containing five litres and one bottles containing one and half litres
country made liquor from the bush near the house of Kripanandan
Rishi (petitioner no.4) and one plastic gallon containing five litres



country made liquor from the carrier of the motorcycle.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioners were not apprehended at the spot nor any incriminating has been recovered from possession of these petitioners rather their names have surfaced in the F.I.R. on the basis of information given by the local people about keeping the illicit liquor. Further submission is that petitioners have no criminal antecedent.

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 six weeks from today, 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 Additional Sessions Judge-II-cum-Special Judge, Excise, Kishanganj, in connection with Special Case No. 312/2019 arising out of Kochadhaman P.S. Case No. 236 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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