

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78610 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- AKBARPUR District- Nawada

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1. Santosh Kumar son of Nanhu Yadav,
 2. Pintu Kumar @ Pintu Yadav son of Baleshwar Yadav, Both Resident of Village- Lohsinghna P.S. Akbarpur District Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Sri Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 Heard the parties.

The petitioners are apprehending their arrest in connection with Akbarpur P.S.Case no.102 of 2017 , registered for offences punishable under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is about recovery of 25 ltrs. of liquor from the house of the petitioner no.1 and allegation against the petitioner no.2 is about recovery of 55 ltrs. of liquor. It further appear that petitioner no.2 is an accused in one more case.

Submission of the learned counsel for the petitioners is that nothing has been recovered and they have been falsely implicated in this case.



Heard learned A.P.P. also.

Having heard both sides and in view of recovery as well as criminal antecedent, I am not inclined to grant bail to the petitioner no.2 (Pintu Kumar @ Pintu Yadav) and he is directed to surrender before the learned court below and make prayer for regular bail which will be considered by the learned court below without being prejudiced by the order of this Court.

So far petitioner no.1 (Santosh Kumar) is concerned, in view of the facts and circumstances, let the petitioner no.1, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Nawada in connection with Akbarpur P.S.Case No.102 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation..

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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