

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80958 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

1. Karu Yadav @ Sarvjit Kumar (Male) aged about 34 years, Son of Umesh Yadav, Resident of Village - Rustampur, P.S.- Muffasil, District - Nawada
2. Mantu Singh @ Mantu Kumar @ Jitendra Kumar (Male) aged about 34 years, Son of Kishore Singh Resident of Village - Gorighat, P.S.- Muffasil, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Adv.

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, apprehend their arrest registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

Informant who is a police officer has alleged that while on day patrolling duty he received an information that the petitioner and another are engaged in sale of illicit liquor and on such information raided the place and on seeing the police party three persons fled away throwing away the plastic bag from which 60 liters of illicit liquor was recovered and seized. It is further stated that the local chaukidar disclosed that petitioner



and another were engaged in trade of illicit liquor.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case due to animosity and village rivalry. Neither any illicit liquor has been recovered from their possession or from their house, as such, no offence under Excise Act is made out. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Nawada, in connection with Muffasil P.S. Case No. 225 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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