

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2044 of 2020

Arising Out of PS. Case No.-270 Year-2019 Thana- DARAUNDA District- Siwan

1. Kamalesh Singh @ Kamlesh Kumar Son of Pancha Nand Singh Resident of Village - Merhi, P.S.- M.H. Nagar, Distt - Siwan.
2. Lakhdeo Singh Son of Late Ramgati Singh Resident of Village - Merhi, P.S.- M.H. Nagar, Distt - Siwan.
3. Rina Devi Wife of Sheojee Singh Resident of Village - Merhi, P.S.- M.H. Nagar, Distt - Siwan.

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar, Advocate

For the Opposite Party/s : Suman Kumari Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-06-2020 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offences punishable under Section 30a of the Bihar Prohibition and Excise Act.

164.160 liters of foreign liquor has been recovered under the straw of petitioner no.1.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case. Petitioners have got no criminal antecedent. The mandatory provision of law for search and seizure given under section 100 Cr.P.C. has not been followed. Nothing incriminating has been recovered from the conscious possession of the petitioners.

Considering the facts of the case, let the petitioners,



above named, in the event of surrender before the Court below within six weeks from today, be released 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 Additional Sessions Judge II cum Special Judge, Excise Act, Siwan in Daroanda (MH Nagar) Police Station Case No. 270 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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