

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10400 of 2020

Arising Out of PS. Case No.-328 Year-2018 Thana- MAJHAULIA District- West Champaran

1. AMARDEO SAH Son of Shambhu Sah Resident of Vallage - Karamwa, P.S.- Majhauliya, Distt - West Champaran.
2. Sikandra Sah Son of Yogendra Sah @ Yogi Sah @ Yogendar Sah Resident of Vallage - Karamwa, P.S.- Majhauliya, Distt - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 29-02-2020

Heard learned counsel for the parties.

This application for regular bail arises out of Majhauliya P.S. Case No. 328 to 2018 disclosing offences punishable under Sections 30(a), 36 and 38 of the Bihar Prohibition Excise Act 2016.

It appears from the seizure report that from the agricultural field of one Lal Babu Paswan, the police had recovered two hundred liters of country made liquor.

It is alleged in the F.I.R. that during the course, when the raid was being conducted by the police, some of the persons were seen fleeing away. The petitioners were not apprehended and their names was disclosed as one of the persons, who had



managed to flee away from the place of occurrence by local people.

Learned counsel for the petitioners has submitted that there is no recovery of any illicit liquor from the petitioners' possession and they have been implicated only on the allegation that they were found fleeing away that too on the basis of statement taken by the police of local people.

Considering the facts and circumstances, this application is allowed.

Let the petitioners above named be released on bail furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 328 of 2018.

(Chakradhari Sharan Singh, J)

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