

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13036 of 2020

Arising Out of PS. Case No.-560 Year-2019 Thana- BRAHMPUR District- Buxar

1. SHIV PRAKASH PANDEY S/o Late Baliram Pandey Resident of Village- Dhambal, P.S.- Shahpur in the district- Bhojpur
2. Rakesh Dubey S/o Radha Dubey Resident of Village- Dhambal, P.S.- Shahpur in the district- Bhojpur
3. Raj Kumar Sah @ Raj Kumar Prasad S/o Sri Bhagwan Sah Resident of Village- Nimez, P.S.- Brahmpur in the district of Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-03-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Brahmpur P.S. Case No 560 of 2019 Registered for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

77.760 litres of liquor is said to have been recovered from the road side near Osho Pawel School.

Learned Counsel for the petitioners submits that liquor was not recovered from the possession of the petitioners. Mandatory provisions under Section 100 Cr.P.C has not been followed with regard to seize and seizure. Petitioners have clean antecedent.



Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of their arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged 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 learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Buxar in connection with Brahmpur P.S. Case No. 560 of 2019 , subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Prabhat Kumar Singh, J)

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