

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32355 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- HATHAURI District- Muzaffarpur

1. AMIRI RAM, Son of Late Devan Ram Resident of Village-Dihjiwar, Police Station-Hathauri, District-Muzaffarpur.
2. Nand Kishore Ram, Son of Rajgir Ram Resident of Village-Dihjiwar, Police Station-Hathauri, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-02-2021 Heard Mr. Alok Kumar Alok, learned counsel for

the petitioners and Mr. Ashok Kumar Singh, learned APP

for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Hathauri P. S. Case No. 211 of

2019 dated 01.11.2019, instituted for the offences

under Sections 272 and 273 of the Indian Penal Code



and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is of recovery of 6.75 litres of liquor from a mango orchard, which does not belong to the petitioner.

The learned counsel for the petitioner has submitted that the recovery is from a place which is accessible to all and sundry and petitioner does not have any criminal antecedents. He therefore submits that the offences under the provisions of Excise Act and relevant provisions of the Indian Penal Code are not made out.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge,



Excise, Muzaffarpur, in connection with Hathauri P. S.
Case No. 211 of 2019, subject to the conditions as laid
down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

