

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34897 of 2020

Arising Out of PS. Case No.-319 Year-2020 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

-
1. Kamlesh Kumar, Son of Late Rampreet Singh, Resident of Village - Baghi, Ward No. 06, P.S.- Mufassil, District - Samastipur.
 2. Kajal Devi, Wife of Shambhu Kumar, Resident of Village - Baghi, Ward No. 06, P.S.- Mufassil, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Aprajita, Advocate.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 06-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mufassil P.S. Case No. 319 of 2020, registered under Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that on receiving secret information about keeping the liquor by criminal, Raj Kumar, Kajal Devi (petitioner no.2) and Kamlesh Kumar (petitioner no.1) in the orchard and bamboo tree in village Baghi, the informant along with other



police personnel reached there. On seeing the police party, the persons present there succeeded to flee away. On search, 18 cartoons each containing 24 bottles of 375 ml Indian made foreign liquor were recovered.

Learned counsel for the petitioners submits that petitioners were not apprehended at the spot nor the alleged bottles of Indian made foreign liquor were recovered from the house of the petitioners but with ulterior motive, both the petitioners have falsely been implicated in the present case. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Samastipur, in connection with Mufassil P.S. Case No. 319 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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

