

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60616 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -VIDYAPATINAGAR District- SAMASTIPUR
=====

Pintu Singh, son of Satyendra Prasad Singh @ Satyendra Singh, Resident of
village-Sahit Gardh, P.S. Vidyapatinagar, District-Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy

For the Opposite Party/s : Mr. Bipin Kumar

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

5 13-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Vidyapati Nagar P.S. Case no. 61 of 2017, registered under Sections
272 and 273 of the Indian Penal Code and Section 30(a), 35(a), 38(I),
38(II, 41(I), and 41(II) of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret information
about selling of the illicit liquor by the petitioner, the informant being
the Officer-in-Charge of Vidyapatinagar Police Station raided the
house of the petitioner, but nothing was recovered inside the room, but
behind the house near toilet, surrounded by the boundary wall, 4 cane
beer each containing 500 ML and 20 bottles of Royal Stage whisky,
each containing 375 ML recovered.

Learned counsel for the petitioner submits that it would



appear from the F.I.R. that petitioner was not apprehended on the spot, while the alleged beer and whisky was recovered behind the house of the petitioner near the toilet surrounded by the boundary wall, but there is no boundary wall behind the house of the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-VI, Samastipur in connection with Vidyapatinagar P.S. Case No. 61 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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