

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10567 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Kuldip Kumar @ Rakesh Kumar, S/o Dhaneshwar Thakur, R/o
Phulwaria, P.S. Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 15-03-2017 Heard both sides.

The petitioner apprehends his arrest in Rajauli P.S.
Case No. 09/2017, registered for the offence punishable under
Section 30(A) of the Bihar Prohibition Excise Act, 2016.

Four persons were coming on two motorcycles. The
police intercepted them, but three persons managed to flee away.
One person Dharmendra Kumar was said to have been arrested by
the police and from his possession 200 pouches, each containing
200ml, of country made liquor were recovered. Dharmendra
Kumar is said to have disclosed the name of the petitioner as one
of the accused persons who managed to flee away.

Learned counsel for the petitioner submits that
nothing has been recovered from the possession of the petitioner



nor the petitioner was apprehended on the spot. The petitioner is a student of Intermediate (Science). The motorcycle does not belong to the petitioner.

Considering the facts aforesaid and the fact that the petitioner was neither apprehended on the spot nor anything was recovered from possession of the petitioner and the petitioner is a student, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 09/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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