

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5357 of 2018

Arising Out of PS.Case No. -106 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Birendra Rai S/o Sukhdeo Rai, R/o Village- Pipra-A-Man, P.S.-
Madhuban, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Rajeev Nayan

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 07-02-2018

Heard both sides.

The petitioner apprehends his arrest in Madhuban P.S.

Case No.106 of 2016 registered under Sections 272, 273, 290 and
34 of the Indian Penal Code and under Section 47, 51 and 52 of
the Bihar Prohibition and Excise Act, 2016.

The police got information that one person having
illegal spirit was going from village Pipr-A-man to Lahladpur.
Having received such information, the informant along with other
police officers went there and apprehended that man who
disclosed his name as Mahendra Manjhi. From his possession, 2 ½
litres of spirit was recovered. Mahendra Manjhi is said to have
disclosed that Birendra Rai, the petitioner had given the spirit to



him.

The learned counsel for the petitioner submits that save and except the confessional statement of Mahendra Manjhi, there is no material against the petitioner. House of the petitioner was not searched. Nothing has been recovered from the possession of the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned 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 learned Special Judge of Excise, Motihari in connection with Madhuban P.S. Case No.106 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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

