

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4339 of 2019

Arising Out of PS. Case No.-686 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Avanish Kumar @ Abhinash Kumar, age about 26 years(Male), son of Jagat Nandan Singh Resident of Village-Morsand, Police Station-Runnisaidpur, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Ram Bachan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-01-2019 Heard both sides.

The petitioner apprehends his arrest in Runnisaidpur P.S. Case No.686 of 2018 registered under Sections 30, 30(G), 38(i)(ii) of Bihar Prohibition and Excise Act.

The informant, a police official, alleged that he got information that Soni Kumari had kept liquor in her house for sell, on such, raid was conducted. Huge quantity of Indian made foreign liquor of different brands weighing about 202 liters was recovered from the house of Soni Kumari. Soni Kumari was arrested. Soni Kumari disclosed the name of her husband as Mukesh Singh and also named the petitioner(Avanish Kumar).

The learned counsel for the petitioner submits that petitioner is not at all related with Soni Kumari. Mukesh Singh



is the husband of Soni Kumari. The liquor was recovered from the house of Soni Kumari and Mukesh Singh but save and except the disclosure made by Soni Kumari, there is no material against the petitioner that petitioner ever indulged in selling of illicit liquor.

Considering the fact that save and except the disclosure made by Soni Kumari, there appears no tangible material against the petitioner that the petitioner is also indulged in illicit trade of liquor, let 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 of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II-cum-Special Judge, Excise Act, Sitamarhi in connection with Runnisaidpur P.S. Case No.686 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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