

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12651 of 2019

Arising Out of PS. Case No.-125 Year-2017 Thana- BACHHWARA District- Begusarai

RAHUL KUMAR Son of Arvind Rai Resident of Village- Chamtha,
Chirayatok, P.S.- Bachhwara, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Bachhwara P.S.Case No.125 of 2017 dated 31.8.2017 , registered for offences punishable under Sections 30(a) of Bihar Excise Prohibition Act, 2016.

Allegation is of recovery of 56.3 ltrs. of liquor from the house of Bakil Rai and Mantun Rai and one Mukesh Rai was arrested,he disclosed name of the accused persons and about this petitioner. He has stated that Shiv Shankar Rai along with his nephew-petitioner was engaged in sale of the liquor.

Submission of the learned counsel for the petitioner is that except the disclosure made by the accused, there is nothing against the petitioner and there is no recovery either



from the conscious possession or from his house and he has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II cum Special Judge, Excise Act, Begusarai in connection with Bachhwara P.S.Case no.125 of 2017 dated 31.8.2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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