

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6884 of 2019

Arising Out of PS. Case No.-186 Year-2018 Thana- KALYANPUR District- Samastipur

Hari Om Rai S/o Sushil Rai @ Ram Sushil Kumar Yadav village-Malipur
(Manorathpur), P.S-Kalyanpur, Distt.-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his arrest in connection with Kalyanpur P. S. Case No. 186 of 2018 dated 27.10.2018 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It appears that 17.1 litres of liquor is said to have been recovered from poultry farm of one of the co-accused persons who was arrested at the time of search and seizure. The name of the petitioner has transpired in the statement of the aforesaid arrested person. The petitioner has been



shown in the F.I.R. as the person who could manage to run away on seeing the police party.

Learned counsel for the petitioner has submitted that but for the name of the petitioner having been collected during the course of the investigation and that also through the mouth of the arrested accused person, there is no other material to connect the petitioner with the offence. No recovery is said to have been made from the petitioner or from his constructive possession.

The petitioner does not have any criminal antecedents.

Considering the aforesaid facts, the petitioner, above-named, is directed to be released on bail, 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, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additinoal Sessions Judge – III cum Special Judge, Excise, Samastipur in connection with Kalyanpur P. S. Case No. 186 of 2018,



subject to the conditions as laid down under Section 438 (2)
Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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