

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7536 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- AANDAR District- Siwan

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Ankul Kumar Yadav @ Ankur Kumar Yadav, Son of Hareram Yadav,
Resident of Village Harnathpur, P.S. Raghunathpur, District Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Harendra Prasad
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-02-2019 Heard both sides.

Petitioner apprehends his arrest in Andar (M.H. Nagar)
P.S. Case No.219 of 2018 registered under Sections 272, 273, 420
and 34 of the Indian Penal Code and under Sections 30(a), 38 and
41(i) of Bihar Prohibition and Excise Act, 2016.

The informant received secret information that Prem
Kumar @ Munna Pandit was unloading liquor from a tractor
parked in front of his house and keeping the liquor in his house for
illegal trade. The informant went there to verify the information
and found Prem Kumar @ Munna Pandit unloading the liquor.
Prem Kumar @ Munna Pandit was apprehended on chase and
altogether 1044 litres of liquor (whiskey) was recovered from the
tractor as well as inside the house of Prem Kumar @ Munna
Pandit. Prem Kumar @ Munna Pandit is said to have disclosed
that the petitioner had brought the liquor in the morning and he
along with the petitioner sells liquor.



Learned counsel for the petitioner submits that save and except the statement of the Prem Kumar @ Munna Pandit, there is no material against the petitioner that the petitioner ever indulged in illicit liquor trade. Even the house of the petitioner was not searched and nothing has been recovered from conscious possession of the petitioner.

Taking into consideration that the name of the petitioner surfaced in this case on the statement of Prem Kumar @ Munna Pandit from whose possession 1044 litres of liquor was recovered but thereafter no tangible material is collected to show that the petitioner ever indulged in illicit liquor trade, let 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 this order 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 Additional Session Judge II-cum-Special Judge Excise, Siwan, District Siwan in connection with Andar (M.H. Nagar) P.S. Case No.219 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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