

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8424 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- SANGRAMPUR District- East
Champaran

Pradip Kumar @ Pradip Mukhiya son of Sri Mukhiya, resident of
Sangrampur, Bin Toli, P.S. Sangrampur, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Singh

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2019 Heard both sides.

The petitioner apprehends his arrest in Sangrampur
P.S. Case No.210 of 2018 registered under Sections 272 and 273
of the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant, who is a police official, alleged that on
secret information he went to Diyara area and found one person
preparing country made liquor but that person fled away
crossing the river after seeing the police. The villagers, who
were assembled there, identified the person fleeing away from
the place of occurrence.

Learned counsel for the petitioner submits that there is
nothing on record to show that the petitioner was preparing



country made liquor in Diyara area. The petitioner is a fisherman and on account of some dispute with the villagers, the villagers falsely implicated the petitioner. It is further submitted that in fact nothing has been recovered either from personal possession or conscious possession of the petitioner.

Having considered the fact that recovery was made from a lonely place situated in Diyara area and the petitioner has got no criminal antecedent, the above named petitioner, 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 Additional Sessions Judge VII-cum-Special Judge, Excise Act, East Champaran at Motihari in connection with Sangrampur P.S. Case No.210 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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