

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9088 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- DIDARGANJ District- Patna

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Santosh Saw Son of Nirdhan Sao, Resident of Village – Didarganj, P.S.
Didarganj, District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-02-2019 Heard both sides.

The petitioner apprehends his arrest in Didarganj P.S.
Case No.108 of 2018 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant being S.I. of Didarganj P.S. got secret
information while he was on patrolling duty that some people
were selling illicit liquor near Mahavir Ghat. The informant
went there to verify the information and recovered country
made liquor. It is alleged that the people assembled there
disclosed the name of petitioner.

Learned counsel for the petitioner submits that
nothing has been recovered from conscious possession of the
petitioner. The petitioner has no manner of concern with the
recovered liquor. The recovery was made from a bush near



Mahavir Ghat. Since the petitioner is an accused in another case, he has falsely been implicated in this case.

Having considered the fact that the recovery was made from a bush and the name of petitioner figured in the case by the persons, who assembled at the place of occurrence, but the names of those persons have not been disclosed in the F.I.R., 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 Special Judge, Excise, Patna in connection with Didarganj P.S. Case No.108 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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