

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12132 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- HUSSAINGANJ District- Siwan

Pradeep Kumar Tiwary @ Pradeep Tiwary, Son of Late Pashupatinath Tiwari,
Resident of Village - Singarpatti, P.S.- Huassainganj, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 27-02-2019 Heard both sides.

The petitioner apprehends his arrest in Hussainganj P.S. Case No.01 of 2019 registered under Sections 413, 414, 420 and 34 of the Indian Penal Code and under Sections 30(a), 36 and 41(i) of the Bihar Prohibition and Excise Act.

The police intercepted a Pick-up Van and recovered about 440 litres of liquor. The police also intercepted one motorcycle and the people disclosed that Chandan Prasad, Sanjay Kumar Passi and Ajay Kumar Choudhary were indulged in selling illicit liquor. The informant further alleged that one motorcyclist was apprehended. The motorcyclist disclosed his name as Rakesh Kumar Yadav. From the said motorcycle about 17 litres of country made liquor was recovered. Rakesh Kumar Yadav disclosed the name of petitioner. Similarly other accused



persons were also apprehended.

Learned counsel for the petitioner submits that the name of petitioner surfaced in the case on the basis of disclosure made by Rakesh Kumar Yadav and others but nothing has been recovered from conscious possession of the petitioner and petitioner has got no criminal antecedent.

Having considered the facts that nothing has been recovered from conscious possession of the petitioner and the name of petitioner surfaced in the case on the basis of disclosure made by Rakesh Kumar Yadav and others, 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 2nd-cum-Special Judge, Excise, Siwan in connection with Hussainganj P.S. Case No.01 of 2019, 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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