

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10294 of 2019

Arising Out of PS. Case No.-169 Year-2018 Thana- AANDAR District- Siwan

Mritunjay Yadav, S/o Rambahadur Yadav village-Jaijare Balua tola, P.S-
Andar, 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 RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 08-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Andar P.S. Case no. 169 of 2018, registered under
Sections 272, 273, 308, 414 and 420 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

The accusation is that on receiving secret
information about selling of liquor by Manish Kumar and Golu
Kumar Patel in village-Masudaha, the informant and other
Police personnel reached there in the evening of 29.08.2018
then saw that two persons started to flee away from the house
of Manish Kumar, but both were apprehended by the Police,
who disclosed their names as Manish Kumar and Golu Kumar
Patel. On search of house, 144 bottles, each containing 180 ML
India made foreign liquor recovered. The apprehend persons



disclosed that the seized liquor was supplied by Golu Kumar, Sunil Yadav and this petitioner for sell.

Learned counsel for the petitioner submits that the petitioner has not been apprehended on the spot, rather, his name has come in the confessional statement of co-accused to the effect that this petitioner and two others used to supply the liquor. Further submission is that, in fact, petitioner is accused in Andar P.S. Case No. 143 of 2017 and one similar type of other case in which petitioner is on bail due to that reasons, the informant managed to implicate the petitioner showing the name of the petitioner in the confessional statement of co-accused Manish Kumar and Golu Kumar Patel.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-II-cum-Special Judge (Excise), Siwan in connection with Andar P.S. Case No. 169 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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