

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16387 of 2019

Arising Out of PS. Case No.-371 Year-2018 Thana- LALGANJ District- Vaishali

PRINCE KUMAR @ SONU KUMAR, Aged about 26 years, Male, Son of Late Rakesh Singh, Resident of Village Namidih, P.S. Lalganj, District Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Senior Advocate Mr. Ashok Kumar Jha, Advocate
For the State	:	Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2019 Heard both sides.

Petitioner apprehends his arrest in Lalganj P.S. Case No.371 of 2018, registered under Sections 30(a), 32(2) and 41(1) of the Bihar Prohibition and Excise Act.

The S.H.O. of Lalganj P.S. got information on 17.10.2018 from the Superintendent of Police, Vaishali that Harendra Singh, resident of village Namidih had stocked huge quantity of Indian made foreign liquor in his house and the informant and other police officials raided the house of Harendra Singh. Huge quantity of Indian made foreign liquor of different brands was recovered. Harendra Singh and his wife, namely, Poonam Devi are said to have disclosed that Awadhesh Singh, Sanjay Singh, Sonu Singh all residents of Namidih



brought the liquor on a truck and kept in his house. They also paid rent of Rs.10,000/- to Harendra Singh. Harendra Singh and his wife further disclosed that some liquor was also kept in the house of Balram Singh and Awadhesh Singh. In pursuance of such disclosure, the house of Balram Singh and Awadhesh Singh were also raided and huge quantity of Indian made foreign liquor of different brands was also recovered from the house of Balram Singh and Awadhesh Singh.

Learned counsel for the petitioner submits that the petitioner is Prince Kumar @ Sonu Kumar, son of late Rakesh Singh. The name of the petitioner was disclosed by Harendra Singh and Poonam Devi but save and except disclosure made by Harendra Singh and Poonam Devi from whose house huge quantity of liquor was recovered, there is no material to show that the petitioner brought the liquor and kept the same in the house of Harendra Singh. Harendra Singh, Awadhesh Singh and Balram Singh are indulged in illicit trade of liquor and from their house, huge quantity of Indian made foreign liquor of different brands was recovered. Since the petitioner was making protest of illegal sale of liquor, petitioner has been implicated in the case. Petitioner has got no criminal antecedent.

Taking into consideration the facts that Harendra



Singh and his wife after recovery of huge quantity of liquor from their house disclosed the name of the petitioner and others but nothing has been recovered from the house of the petitioner and save and except the statement of Harendra Singh, there is no tangible material to show that the petitioner also involved in illicit trade of liquor, 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 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Vaishali at Hajipur in connection with Lalganj P.S. Case No.371 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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