

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16382 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- BUXAR District- Buxar *

PREM SRIVASTAVA, Male, aged about 22 years, Son of Santosh Srivastav
Resident of Village-Sohani patti, P.S.-Buxar Town, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2019 Heard both sides.

The petitioner apprehends his arrest in Buxar Town
P.S. Case No.414 of 2018(G.R. No.2586 of 2018) registered
under Sections 30(a) and 41(i) of Bihar Prohibition and Excise
Act.

The police got information that one person was
apprehended with illicit liquor in front of the clinic of Dr. Binod
Kumar. The informant reached there for verification of the
information and found that the person was caught by others with
a bag containing Indian made foreign liquor. The apprehended
accused disclosed his name as Manu Mishra. The apprehended
accused is said to have disclosed that Prem Srivastava(the
petitioner) and Amit Pandey asked him to keep the bag
containing liquor and sat on the motorcycle.



The learned counsel for the petitioner submits that the petitioner has no manner of concern for the liquor recovered from Manu Mishra. Save and except the disclosure made by Manu Mishra, there is no material to show that the petitioner has ever kept liquor with him. Petitioner has got no criminal antecedent.

Taking into consideration the fact that the name of the petitioner figured in the case on the disclosure made by Manu Mishra from whose possession liquor was recovered but nothing has been recovered from the possession of the petitioner, let the 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 the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge 2nd-cum-Special Judge, Excise, Buxar in connection with Buxar Town P.S. Case No.414 of 2018/G.R. No.2586 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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