

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16359 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- HILSA District- Nalanda

Mirtunjay Kumar, Son of Late Rajendra Prasad, Resident of Village- Jahnpur,
P.S.- Dhanrua, District- Patna, at Present New Bus Stand Mai Hilsa, P.S.-
Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Ajay Kumar-2

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 12-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hilsa P.S. Case no. 49 of 2019, registered under Section
30(A) and 37(C) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty
2-3 persons were seen fleeing on seeing the Police near
Railway crossing. On chase, three persons were apprehended
and smell of liquor was coming from their mouth. The
apprehended persons disclosed their names as Shambhu
Kumar, Niraj Kumar and Kanti Kumar and they also disclosed
that they have consumed the liquor supplied by the petitioner.
Thereafter, informant reached at the house of petitioner and on
search, 7 bottles, each containing 750 ML India made foreign



liquor recovered from the bushes behind the house of the petitioner.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot, rather, it is alleged that the alleged liquor was recovered in the bushes situated behind the house of the petitioner. Further submission is that petitioner has no criminal antecedent.

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. Sessions Judge-III-cum-Special Judge, Biharsharif, Nalanda in connection with Hilsa P.S. Case No. 49 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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