

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20619 of 2019

Arising Out of PS. Case No.-168 Year-2018 Thana- PATLIPUTRA District- Patna

Abhishek Kumar @ Bittu, aged about 28 years, Male, Son of Sri Basant Ram
Resident of Mohalla - Indrapuri, Road No.4, P.O- Keshri Nagar, P.S.-
Patliputra, Town and Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Jha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2019 Heard both sides.

Petitioner apprehends his arrest in Patliputra P.S. Case No.168 of 2018 registered for the offences allegedly committed by the petitioner under Sections 30(a)/38(1) (2)/41(1) (2)/32(2) of the Bihar Prohibition and Excise Act, 2016.

The gist of the allegation as disclosed in the FIR is that the the informant got information about keeping of liquor by the tenants in the house of Raj Kumar Singh situated on Road No.2B, House No249, G.D. Mishra Road, Patliputra and on such the raid was conducted. Two persons, namely, Shubham Kumar @ Golu and Vikash Kumar were found inside the room and huge quantity of Indian made foreign liquor was recovered. Shubham Kumar @ Golu and Vikash Kumar disclosed the name of the petitioner and Shubham Jyoti and alleged that they were supplying the liquor to



different persons on their demand.

Learned counsel for the petitioner submits that there is no material on record to show that the petitioner is supplier of the liquor and he received any order from any of the persons. Petitioner was not even present on the place of occurrence.

Taking into consideration the facts that save and except the fact disclosed by the apprehended accused from whose possession huge quantity of liquor was recovered that the petitioner used to supply the liquor to different persons from their house, there is no material to corroborate this allegation, 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 Special Judge, Excise, Patna in connection with Patliputra P.S. Case No.168 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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