

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17696 of 2019

Arising Out of PS. Case No.-332 Year-2018 Thana- ISLAMPUR District- Nalanda

Rahul Kumar son of Subodh Chaudhary @ Subodh Prasad, resident of village
-Dhamauli, P.S.-Islampur, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-03-2019 Heard both sides.

The petitioner apprehends his arrest in Islampur P.S.
Case No.332 of 2018 registered under Section 30(a) of the Bihar
Prohibition and Excise Act.

The informant being police officer of Islampur P.S.
alleged that he got secret information that Rahul Kumar
(petitioner), Deepak, Kumar and Satish Prasad were selling
liquor near Atasari village. The police proceeded for verification
of the information and found three persons fleeing away from
there after seeing the police. The informant alleged that the
people of the market identified the petitioner and others. On
search, 98 pouches each containing 200 ml liquor were
recovered from a bush.

Learned counsel for the petitioner submits that the



informant did not disclose the name of the person who identified the petitioner. Nothing has been recovered from conscious possession of the petitioner or from the house of the petitioner. The petitioner has no manner of concern with the liquor recovered from a bush and he has got no criminal antecedent.

Having considered the facts that the informant neither disclosed the name of the person, who identified the petitioner as seller of the liquor in the market nor anything is said to have been recovered from conscious possession of the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 learned Additional Sessions Judge III, Nalanda at Biharsharif in connection with Islampur P.S. Case No.332 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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