

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17729 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- KURSAKANTA District- Araria

Shrawan Ray @ Srawan Ray, aged about 45 years, Male, Son of Bihari Ray,
Resident of Village Chikani Mehndipur, Ward No.11, P.S. Kursakanta
(Sonamani Godam O.P.), District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

Petitioner apprehends his arrest in Kursakanta
(Sonamani Godam) P.S. Case No.175 of 2018, registered under
Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

The police instituted a case on the allegation that he
got information about carrying of Nepali liquor and on such the
police wayled the smuggler of liquor and found one person
carrying Nepali liquor on his head. He was apprehended but
other accused persons managed to flee away after throwing bags
from their head. The apprehended accused, namely, Kundan
Kumar Baitha disclosed the name of the petitioner and others.

Learned counsel for the petitioner submits that the
petitioner was not apprehended on the spot. The petitioner was



not carrying any article. The story of fleeing away of other accused persons is absolutely false and concocted. Petitioner has got no criminal antecedent.

Taking into consideration the facts that petitioner was not apprehended on the spot rather the name of the petitioner surfaced in the case on the basis of disclosure made by Kundan Kumar Baitha, who was apprehended with Nepali liquor and petitioner has got no criminal antecedent, 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, Araria in connection with Kursakanta (Sonamani Godam) P.S. Case No.175 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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