

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17738 of 2019

Arising Out of PS. Case No.-11 Year-2019 Thana- KEWATI District- Darbhanga

Lakhan Yadav @ Suraj Yadav, aged about 39 years, Male, Son of Heera Lal Yadav, R/o Village/Mohalla Runway, P.S. Keoti, District Darbhanga (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-03-2019 Heard both sides.

Petitioner apprehends his arrest in Keoti P.S. Case No.11 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The informant got information that Kishori Yadav, his son, Bechan Yadav and Lakhan Yadav @ Suraj Yadav, the petitioner was selling liquor from their animal shade. The police proceeded to verify the information and raided the cow shade of Kishori Yadav. Kishori Yadav was apprehended and from his cow shade some quantity of Indian made foreign liquor was recovered. Kishori Yadav is alleged to have disclosed that his son, Bechan Yadav and Lakhan Yadav @ Suraj Yadav, the petitioner brought the liquor to sell.

Learned counsel for the petitioner submits that the



house of the petitioner was not searched. There is no material on record to show that the petitioner ever brought the liquor at the cow shade of co-accused Kishori Yadav. Petitioner has got no criminal antecedent.

Taking into consideration the fact that save and except disclosure made by Kishori Yadav from whose cow shade some quantity of liquor was recovered and the fact that the petitioner and Bechan Yadav, son of Kishori Yadav had brought the liquor but no liquor was recovered from possession of the petitioner, 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 Vth Additional District Judge-cum-Special Judge, Excise Act, Darbhanga in connection with Keoti P.S. Case No.11 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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