

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20507 of 2019

Arising Out of PS. Case No.-465 Year-2018 Thana- KUDRA District- Kaimur (Bhabua)

Vikky Kharwar, S/o Khushi Kharwar, R/o village- Sakari, P.S.- Kudra,
District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mrs.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
29.01.2019 in a case registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

It is alleged that the informant being, the S.I. of
Police, Station House Officer of Kudra Police Station after
having received a secret information to the effect that co-
accused Binod Sah is selling liquor in his grocery shop in
collusion with others, laid a raid, and from the grocery shop of
co-accused Binod Sah, 52.820 litres of illicit Indian Made



Foreign Liquor and 150 gms ganja were recovered and co-accused Binod Sah started fleeing away but on chase being made, he was apprehended.

It is submitted by learned counsel for the petitioner that the seizure list suggests that the recovery has been made from the grocery shop and house of co-accused Binod Sah, who has been granted bail by a Co-ordinate Bench of this Court vide order dated 17.01.2019 passed in Cr. Misc. No. 78314 of 2018 and no recovery has been made from the conscious physical possession of the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner has been found fleeing away from the place of seizure.

Considering the fact that the recovery has been made from the grocery shop of apprehended co-accused Binod Sah, who has been granted bail by a Co-ordinate Bench of this Court and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released 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 Special Judge (Excise),



Kaimur at Bhabhua in connection with Kudra P.S. Case No. 465
of 2018.

(Dinesh Kumar Singh, J)

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