

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76025 of 2018

Arising Out of PS. Case No.-517 Year-2018 Thana- HILSA District- Nalanda

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Bahadur Prasad, son of Doman Prasad, Resident of Village- Dhibra par, P.S.
Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Adv.

For the Opposite Party/s : Mr.Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Learned counsel for the petitioner is permitted to make
necessary correction in the petition.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise, Act, 2016.

The prosecution case is that 9.825 litres of foreign liquor
were recovered from the house of co-accused, Mrityunjay
Kumar and from the place of occurrence, two co-accused,
persons namely, Mrityunjay Kumar and Abhishekh Kumar were
arrested. The apprehended accused persons disclosed that the
liquor were delivered by the petitioner, Bahadur Prasad.

It is submitted by learned counsel for the petitioner that no



recovery has been made from the petitioner. Though the petitioner is accused in two other cases of similar nature, but he is on bail in both the cases. A statement to that effect has been made in paragraph no.3 of the petition.

It is submitted by learned APP for the State that the name of the petitioner sprang up on the confession of co-accused from whose house liquor were recovered.

Considering the accusation levelled in the FIR which suggests the recovery of liquor from the house of co-accused Mrityunjay Kumar, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional District Judge-Excise, Nalanda at Biharsharif, in connection with Hilsa P.S. Case No.517 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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