

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23824 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- MAHUA District- Vaishali

RAJESH SINGH @ Rajesh Kumar(male), aged about 35 years, Son of Rajendra Singh, Resident of Village-Mahua Singh Ray, P.S-Mahua, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-04-2019 Heard both sides.

The petitioner apprehends his arrest in Mahua P.S.
Case No.80 of 2019 registered under Sections 30(a) and 38 of
Bihar Prohibition and Excise Act.

The police got secret inputs about selling of liquor in
the poultry farm of the petitioner. When the police went to
verify the information, the police saw one person fleeing away
from the poultry farm. On search, 8.640 liters of Indian made
foreign liquor was recovered from northern corner of the poultry
farm.

The learned counsel for the petitioner submits that
only one person was found fleeing from the poultry farm and,
therefore, the allegation of selling liquor from the poultry farm



is falsified. There are many employees of the petitioner who was looking after the poultry farm. The petitioner cannot be said to be responsible for recovery of the liquor from the poultry farm.

Taking into consideration the facts aforesaid and the fact that petitioner is owner of the poultry farm but nobody seen the petitioner fleeing away from the poultry farm, let the 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 the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II-cum-Special Judge, Excise Prohibition Act, Vaishali, Hajipur in connection with Mahua P.S. Case No.80 of 2019, 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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