

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30310 of 2019

Arising Out of PS. Case No.-325 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Kamesh Kumar @ Kameshwar Kumar @ Rocky @ Kamesh, Aged about 32 years, Male, Son of Mohindra Mehto @ Mahendra Mahto, At present- Resident of Mohalla- House No. WZ-233, street No. 12 Hastal Road, P.S.- Uttam Nagar, District- West Delhi, Permanent Address- Resident of Village- Chakwakhar, P.S.- Janhagirpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-05-2019 Heard both sides.

Petitioner apprehends his arrest in Excise Case No.325 of 2018, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The excise official raided the industrial premises of Kaushal Kumar Sah and 3662.64 litres of liquor was recovered from the industrial premises of Kaushal Kumar Sah. The name of the petitioner figured in this case in the disclosure made by Kaushal Kumar Sah who disclosed that the petitioner Kamesh Kumar @ Kameshwar Kumar @ Rocky @ Kamesh, Om Prakash Mahto and Arun Kumar Mahto are also involved in illegal trade of illicit liquor with him.



Learned counsel for the petitioner submits that there is no iota of evidence to show that the petitioner is partner of Kaushal Kumar Sah in his illegal activities. Save and except the disclosure made by Kaushal Kumar Sah, there is no material to show the involvement of the petitioner.

Considering the facts that save and except the disclosure made by Kaushal Kumar Sah, there is no material to show the involvement of the petitioner and huge quantity of liquor was recovered from the industrial premises of Kaushal Kumar Sah, 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 3rd Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Excise Case No.325 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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