

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26136 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- BASANTPUR District- Siwan

Prakash Prasad @ Om Prakash Sah, Son of Late Raghunath Sah, Resident of
Village- Saraiya, Police Station- Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Basantpur P.S. Case No. 17 of 2019 registered under
Section 30(a) of the Bihar Excise Act, 2016.

On receiving secret information about keeping of
illegal Indian made liquor concealing near the railway track in
village Babhanauli by petitioner along with two others named in
the F.I.R. and one unknown, the informant and other police
officials reached for verification. On seeing the police party,
Munna Kumar Sharma, petitioner and one unknown succeeded
to flee away. On search, 471.84 litres of Indian made foreign
liquor, kept in different bottles, were recovered.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended near the railway track, from where, the alleged 471.84 litres of Indian made foreign liquor, kept in different bottles, recovered. Moreover, there is no detailed about the media, by which, informant and other police officials identified the petitioner and other accused and petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 2nd Additional Sessions Judge-Cum-Special Judge, Excise, Siwan, in connection with Basantpur P.S. Case No. 17 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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