

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33846 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- GARDANIBAG District- Patna

Omprakash @ Chhotu @ Chhotu Kumar, Son of Sidhnath Chaudhary,
Resident of Mohalla - Damadia, P.S.- Gardanibag, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Ramesh Chandra

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

ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special Case No. 1352 of 2019 arising out of Gardanibagh
P.S. Case No. 83 of 2019 registered under Section 30(a) of the
Bihar Excise Act, 2016.

The accusation is of recovery of 48 bottles each
containing 750 ml and 106 bottles each containing 375 ml
Indian made foreign liquor from the joint house of the petitioner
and Shahil Kumar, brother of the petitioner, was apprehended,
who disclosed that he used to sell the illicit liquor with the help
of this petitioner.

Learned counsel for the petitioner submits that it



would appear from the F.I.R. that petitioner was not apprehended at the spot, in fact, the aforesaid illicit liquor was recovered from the joint house of the petitioner and his brother, Sahil Kumar 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 learned Special Judge, Excise, Patna, in connection with Special Case No. 1352 of 2019 arising out of Gardanibagh P.S. Case No. 83 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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