

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79132 of 2018

Arising Out of PS. Case No.-323 Year-2018 Thana- BAIRIYA District- West Champaran

Nandlal Yadav Son of Sri Lalbabu Yadav, Resident of Village - Hat Saraiya,
P.S. - Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-01-2019 Heard both sides.

The petitioner apprehends his arrest in Bairiya P.S. case No. 323 of 2018 registered under Section 272, 273 of the Indian Penal Code and under Section 30(a) of Bihar Prohibition & Excise Act.

The informant alleged that two persons were coming on a motor cycle keeping a bag in between them but after seeing the police they managed to flee away through sugarcane field. The Chowkidar, who was a member of raiding party, identified the petitioner as one of the persons, who managed to flee away after leaving the motor cycle and bag.

The learned counsel for the petitioner submits that the Chowkidar on account of some personal enmity named the petitioner although petitioner has got no criminal antecedent and



there is no material that petitioner was ever involved in business of illicit liquor.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner was not apprehended on the spot nor anything was recovered from his conscious possession, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to 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 Special Judge, Excise, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 323 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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