

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34436 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- NADI P.S. District- Patna

ASHOK KUMAR @ ASHOK YADAV Son of Gauri Shankar Rai @ Gauri Shankar Ray Resident of Village - Fatehganjpur, P.S. - Nadi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagjit Roshan

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nadi P.S. Case No.66 of 2019/Special Case No.2746 of 2019 registered under Sections 30(a)(d) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of arresting the accused and making raid, the informant along with other police personnel reached at village-Jethuli. On seeing the police party, some persons started to flee away but, on chase, one person was apprehended, who disclosed his name as Laxman Rao. On query, he disclosed that he had carried the liquor of Vishwanath Rai, Bijendra Yadav, Satyendra Yadav, Bhushan Yadav, Subash



Rai and Ajay Rai and the same has been kept in the house of Vishwanath Rai. Thereafter, the house of Vishwanath Rai was searched from where 192 bottles, each containing 180 ml. Indian Made Foreign Liquor, 336 bottles, each containing 375 ml. Indian Made Foreign Liquor, 300 bottles, each containing 750 ml. Indian Made Foreign Liquor, and one Maruti Suzuki VXi Wagon R car bearing Registration No.BR01DD-8686 were recovered.

Learned counsel for the petitioner submits that on the basis of the disclosure of apprehended accused Laxman Rao, the alleged recovery was made from the house of Vishwanath Rai but he did not disclose the name of the petitioner. Since the aforesaid vehicle of the petitioner was parked near the house of Vishwanath Rai, due to that reason, the petitioner has also been implicated in this case. Further submission is that while the petitioner is accused in three other cases, as detailed in paragraph-3 to this application, but he is on bail in all those cases.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise, Patna, in connection with Nadi P.S. Case No.66 of 2019/Special Case No.2746 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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