

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36066 of 2019

Arising Out of PS. Case No.-68 Year-2019 Thana- MUSAHARI District- Muzaffarpur

RAHUL KUMAR Son of Ram Ekwai Singh Resident of Village - Narauli
Kalyan, P.S.- Mushahari, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Mushahari P.S.Case no.68 of 2019 , registered for offences
punishable under Sections 30(a), 36, 38 of the Bihar Prohibition
and Excise Act, 2016.

Allegation against the petitioner is about recovery of 156
and odd ltrs. of liquor from the bamboo clamp and the FIR
discloses that the police has come on information that the
petitioner has kept liquor in the Bamboo clump . Petitioner is
named in the FIR, however, he succeeded in fleeing away.

Submission of the learned counsel for the petitioner is
that only on some confidential information he has been made
accused, nothing is available on the record to show that



anything has been recovered from the house or from the conscious possession. Bamboo clamp is not of the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Act, Muzaffarpur in connection with Mushahari P.S.Case No.68 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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