

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37993 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Girdhari Yadav @ Girdhari Kumar, Aged about 28 years, Male, Son of Shiv Balak Yadav @ Shiv Balak Bhagat, Resident of Village Adharpur, P.S. Mufassil, District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Aprajita, Advocate
		Mr. Brisketu Sharan Pandey, Advocate
For the State	:	Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-06-2019 Heard both sides.

Petitioner apprehends his arrest in Mufassil P.S. Case No.167 of 2019, registered under Section 30(a) of the Bihar Prohibition and Excise Act.

The police raided a place in Adharpur village near Airtel tower and arrested one person, namely, Bipin Kumar. 2-3 persons are alleged to have fled away. Bipin Kumar is said to have disclosed the names of the petitioner, Girdhari Yadav and another Vishwanath Kumar who managed to flee away. 13 bottles each containing 180 ml. of foreign liquor are said to have been recovered.

Learned counsel for the petitioner submits that the



petitioner was not arrested on the spot. Recovery was made near Airtel tower in village Adharpur. Petitioner is made accused in the case on account of village politics.

Taking into consideration the facts that the petitioner who was not apprehended at the spot and the name of the petitioner figured in the case on the so called disclosure made by Bipin Kumar who was apprehended near the Airtel tower from where the recovery of small quantity of liquor was made, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 A.D.J.-II-cum-Special Judge, Excise, Samastipur in connection with Mufassil P.S. Case No.167 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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