

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39056 of 2019

Arising Out of PS. Case No.-132 Year-2019 Thana- KESARIA District- East Champaran

KRISHNA THAKUR Son of Ranita Thakur @ Ramita Thakur Resident of
Village- Rajpur, P.S.- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-06-2019 Heard both sides.

The petitioner apprehends his arrest in Kesaria P.S. case No. 132 of 2019 registered under Section 272, 273 of the IPC and u/s 30(A) of Bihar Prohibition & Excise Act.

The police got secret information that Bhupendra Kumar was selling liquor from his poultry firm and a raid was conducted. Bhupendra Kumar was apprehended. Bhupendra Kumar said to have disclosed that the person who managed to flee away is Krishna Thakur, the petitioner. From the poultry firm of Bhupendra Kumar bottles of different brands of Indian made foreign liquor were recovered.

The learned counsel for the petitioner submits that petitioner has nothing to do with business of Bhupendra Kumar. It was Bhupendra Kumar who was keeping liquor in his poultry firm and on the basis of disclosure made by Bhupendra Kumar name of petitioner surfaced in the case but nothing has been recovered from the possession of the petitioner. The petitioner has got no criminal antecedent.

Taking into consideration the facts that name of



petitioner surfaced in the case at the disclosure made by Bhupendra Kumar whose poultry firm was raided and from where recovery of liquor was made but nothing has been recovered from the possession of the petitioner and the petitioner has got no criminal antecedent, the petitioner, above named, in the event of his arrest/ surrender before the 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 his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX-cum-Special Judge, Excise Act, East Champaran, Motihari in connection with Kesaria P.S. case No. 132 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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