

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38868 of 2019**

Arising Out of PS. Case No.-38 Year-2019 Thana- MADHUBANI TOWN District-
Madhubani

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Aalok Kumar @ Alok Raj Purvey, Son of Hari Narayan Purvey Resident of
Village- Suratganj, Ward No. 17, P.S.- Madhubani Town, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Arun Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-06-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Madhubani Town P.S. Case no. 38 of 2019, registered
under Sections 272, 273, 414/34 of the Indian Penal Code and
Section 30(a), 41(1), 44(1) of Bihar Prohibition Act, 2016.

The accusation is that on receiving the secret
information about selling of illicit liquor by Daya Ram Paswan
of village Gaushala Chowk Aadarsh Nagar Colony,
Madhubani, the informant along with other Police personnel
reached there and found a Maruti Car in standing condition. On
search, 53.625 liters of India made foreign liquor recovered
from the Maruti car kept in different bottles. On query, Daya
Ram Paswan disclosed that the seized liquor was supplied by
Gaurav Nayak and Alok Kumar (Petitioner) for selling the



same.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that nothing has been recovered from the possession of the petitioner, rather, the name of the petitioner and one Sunil Nayak surfaced in the confessional statement of co-accused Daya Ram Paswan from whom the alleged India made foreign liquor was recovered from the car. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Madhubani Town P.S. Case No. 38 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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