

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67854 of 2018

Arising Out of PS. Case No.-468 Year-2018 Thana- KATIHAR District- Katihar

Mirchaiyya, Son of Siddique @ Md. Siddik Ansari, resident of Mohalla-Driver Tola Katihar, P.S.- Katihar Town, District- Katihar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 28-02-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Katihar (Town) P.S. Case no. 468 of 2018, registered under Section 30(a) read with Section 13 of the Bihar Prohibition and Excise Act.

The accusation is that on receiving the secret information about carrying the illicit liquor loading on a tempo, the informant being the Officer-in-Charge, Katihar Police Station (Town) started checking of the vehicle. In course of checking, one tempo bearing registration No. BR11T/7024 was intercepted in which two persons were found sitting, who disclosed their names as Devanand Uraon, driver-cum-owner of the tempo and Bablu Mahto. On search, 230 pieces of



pouch, each containing 180 ML and 250 bottle, each containing 500 ML India made foreign liquor recovered. On inquiry, they disclosed that the seized liquor was being carried to supply the same to the petitioner and one Baba.

Learned counsel for the petitioner submits that, in fact, petitioner has been made accused in three other similar cases, as detailed in para 3 of the petition, due to that reason, the petitioner has also been implicated in this case showing his name in the confessional statement of two persons, who are said to be apprehended from the tempo from which the alleged liquor is said to be recovered.

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 2nd Addl. Sessions Judge-cum-Special Judge(Excise), Katihar in connection with Katihar (Town) P.S. Case No. 468 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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