

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43107 of 2019

Arising Out of PS. Case No.-90 Year-2019 Thana- MEHANDIGANJ District- Patna

BHUTKUNIYA @ YADUNANDAN BIND Son of Late Bhudani Bind
Resident of Village - Ranipur, Rasulpur, P.S.- Mehndiganj, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mejor Singh A.S.I, Mehndiganj, P.S. Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-07-2019 Heard both sides.

The petitioner apprehends his arrest in Mehandiganj P.S. case No. 90 of 2019 (Special case No. 4909 of 2019) registered under Section 30(a) of the Bihar Excise Amendment Act, 2016.

The A.S.I. Mehandiganj alleged that, on secret information, he went to raid behind Devi Sthan but two persons started fleeing away. One person was apprehended who disclosed his name as Rajkumar Nanhku @ Pappu Prasad. About 98 liters of country made liquor was recovered from the place. The apprehended accused disclosed that owner of liquor is the petitioner.

The learned counsel for the petitioner submits that



petitioner was not apprehended on the spot. Rajkumar @ Pappu Prasad falsely implicated the petitioner. The petitioner has no manner of concern with the liquor recovered. Rajkumar @ Pappu Prasad was apprehended and from his possession liquor was recovered. The petitioner has got no criminal antecedent.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that nothing was recovered from the possession of the petitioner, 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 Special Judge, Excise Act, Patna in connection with Mehandiganj P.S. case No. 90 of 2019 (Special case No. 4909 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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