

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46371 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- BAHERA District- Darbhanga

RAJ KISHOR YADAV Son of Babu Naryan Yadav Resident of Village -
Motipur, P.S.- Bahera, District - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-07-2019 Heard both sides.

The petitioner apprehends his arrest in Bahera P.S.
case No. 156 of 2019 registered under Section 30(A), 32(III),
41(I) of the Bihar Prohibition & Excise Act.

The informant, after having received secret inputs,
intercepted a car but after seeing the police two persons started
fleeing away from the car. One person was apprehended on
chase. Another person managed to flee away. The apprehended
accused disclosed his name as Atish Kumar Chaupal. The
apprehended accused further disclosed that Pramod Yadav, who
was living with him in Delhi, asked him to carry the liquor in
car and they were going to deliver the liquor to Raj Kishor
Yadav, the petitioner.

The learned counsel for the petitioner submits that it



was Pramod Yadav and driver of the car, namely, Atish Kumar Chaupal, who were carrying liquor for sale but they falsely disclosed the name of petitioner. The petitioner has got no criminal antecedent.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that nothing has been recovered from the possession of the petitioner and the name of petitioner figured in the case on the disclosure made by Atish Kumar Chaupal that he was going to deliver the liquor to 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Darbhanga in connection with Bahera P.S. case No. 156 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

