

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46971 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- RAJAOLI District- Nawada

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Babloo Yadav Son of Umesh Yadav Resident of Village - Thekahi, P.S.-
Sirdala, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lilawati Singh

For the Opposite Party/s : Mr.Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehend his arrest in connection with
Rajauli P.S. Case No. 89 of 2019 registered for the offence
under Section 30(a) of Bihar Prohibition & Excise Act, 2016.

The allegation against the petitioner is the as per the
first information report that the police party raided the house of
Sunil Rajvansi and seized the illicit mahuwa liquor, total
quantity of 90 liters from the house of Sunil Rajvansi. It has
further been alleged that the seizure list witness Ravindra
Rajvansi has taken the name of the petitioner and others stating
that the petitioner was involved in the trade of liquor.

Mrs. Manisha Prakash, counsel for the petitioner
submits that petitioner has got no criminal antecedent and she
further submits that no recovery of illicit liquor has been made



from the conscious possession or premises of the petitioner and name of the petitioner has come on the basis of statement made by seizure list witness without any cogent material. Further submission is that from perusal of the first information report and the seizure list no prima facie is made out against the petitioner.

Having heard learned counsel for the petitioner and taking into consideration the fact that no recovery of illicit liquor has been made from the possession or premises belonging to the petitioner, as such, I am inclined to enlarge the petitioner on bail. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-II-cum-Special Judge, Nawada, in Rajauli P.S. Case No. 89 of 2019 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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