

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48711 of 2019**

Arising Out of PS. Case No.-13 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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SUNIL KUMAR YADAV @ SUNIL YADAV Son of Deo Krishna Yadav
Resident of Village-Singhion, P.S-Kishanpur, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha
For the Opposite Party/s : Mr.Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 05-08-2019 Petitioner apprehends his arrest in connection with

Misc. Excise Case No. 376/2018 arising out of P.R. No.
13/2018, disclosing offences under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2016.

Allegation is that the police on confidential
information conducted raid near the Kisan Chowk and tried to
stop a motorcycle but the driver of the said motorcycle fled
away leaving behind his motorcycle and on search 4.5 litres of
Nepali liquor was recovered from the said motorcycle and it was
informed by the local persons that the petitioner runs a hotel and
is engaged in liquor trade.

Submission of learned counsel for the petitioner is
that he has no criminal antecedent and has falsely been



implicated in this case only on the basis of suspicion and further the motorcycle from which, the alleged recovery was made does not belong to the petitioner and the local persons have not disclosed the name of the petitioner, as the person who was driving the motorcycle and succeeded in fleeing away.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -II -cm-Special Judge (Excise), Supaul, in connection with Misc. Excise Case No. 376/2018 arising out of P.R. No. 13/2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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