

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52412 of 2019

Arising Out of PS. Case No.-125 Year-2019 Thana- ISUAPUR District- Saran

AKHILESH PANDIT Son of Shivnath Pandit, Resident of Village-Nipaniya,
P.S.-Isuapur, District-Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-08-2019 Heard both sides.

The petitioner apprehends his arrest in Isuapur P.S.
Case No.125 of 2019 registered under Sections 30, 38 and 41 of
the Bihar Prohibition and Excise Act.

The informant (S.H.O. of Isuapur P.S.) alleged that he
got information that Sanjay Sah and Akhilesh Pandit (petitioner)
were selling spirit in the field of Hazrat Ali. When the informant
went there, the accused persons fled away but the police
recovered 220 litres of spirit.

Learned counsel for the petitioner submits that
nobody has seen the petitioner selling spirit in the field of
Hazrat Ali. Even the informant did not disclose the source of
information. The petitioner has got no criminal antecedent and
no recovery is made from conscious possession of the petitioner.



Having considered the facts that the recovery is made from the field of Hazrat Ali and the petitioner has got no criminal antecedent, the above named petitioner, in the event of his arrest or surrender before the learned 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 furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge XI-cum-Special Judge, Excise, Saran at Chapra in connection with Isuapur P.S. Case No.125 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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