

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.50504 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- BHAIKAVSHTHAN District- Madhubani

TIRPIT YADAV, Son of Late Chulhai Yadav Resident of Village - Sarbshima,
P.S.- Bhairav Asthan, Distt - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhairav Asthan P.S. Case no. 10 of 2019, registered under
Sections 272 and 273/34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of patrolling duty,
the informant along with other Police personnel received
informant about unloading the liquor from a truck in village-
Naruuar, thereafter, informant and other Police personnel
reached there and saw several bags were kept on the ground
near the truck and two motorcycles were also found there. On
search, 50 cartons, each containing 12 bottles of 450 ML, 10
bottles, each containing 750 ML, 149 cartons, each containing
24 bottles of 375 ML, 22 bottle each containing 375 ML, 150
cartons each containing 48 bottles of 180 ML India made



foreign liquor recovered.

Learned counsel for the petitioner submits that petitioner was not apprehended on the spot. The name of the petitioner has been surfaced in the confessional statement of Amit Pandey. Further submission is that petitioner is accused Lakhnaur (RSOP) P.S. Case No. 119 of 2018 in similar nature of case due to that reasons, the informant being the Police official implicated the petitioner showing his name in the confessional statement of Amit Pandey, who apprehended in course of investigation.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Bhairav Asthan P.S. Case No. 10 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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